

FINAL

PRELIMINARY ASSESSMENT AND ALL APPROPRIATE INQUIRY OF 3450 U.S. HIGHWAY 93 SOUTH KALISPELL, MONTANA

Tetra Tech Project No. 1157561547

Prepared for:

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EXECUTIVE SUMMARY

This site is located at 3450 U.S. Highway 93 South, approximately 3.5 miles south of the city of Kalispell, in Flathead County, Montana. The site is located on the west side of U.S. Highway 93, immediately south of Ashley Creek and a former railroad grade. Ashley Creek forms the western boundary of the site. The site consists of two parcels of land which total 15.25 acres. Both tracts have been under a single ownership since the early 1900s. Utilities on the site include a domestic well and six septic systems.

Aerial photographs from 1937 and 1946 indicate the site was vacant land and used for hay. By 1954, a lumber mill was improved on the property. During this period, the property was owned by Frank Duffy. In 1960, the property was transferred to Monarch Lumber Company and in 1969 the property was sold by Boise Cascade to a group of private individuals. The lumber mill had a teepee burner and mill ponds. The mill ponds were filled in the mid-1970s by a local resident who indicated that native material was used as backfill and that no waste material other than some wood debris was incorporated in the backfill. During the period of operation much of the site was used for storage of dimensional lumber. No wood treating reportedly took place on the property.

In 1976, Kalispell Feed and Grain Supply (KFGS) was developed on the property by Lee Tower. The business was a full service dealership selling farm chemicals, irrigation supplies, feed, grain, seed and fertilizer. Site improvements included a grain elevator, feed mill, grain terminal and fertilizer plant. It is not known whether seed treatment occurred on the property but contract herbicide/pesticide spraying took place with mixing of chemicals occurring onsite and spraying offsite. In 1985, the grain business was leased by Cliff Swallow who operated Swallow Grain on the premises. Mr. Swallow discontinued the contract spray business after one year but continued to sell seed, feed, agricultural chemicals and fertilizer until 2000.

Around 1978, Lee Tower developed Wrangler Oil Company on the site as a card-lock gas station and bulk petroleum distributor. Four underground storage tanks (USTs) were operated on the property for about 20 years. The tanks were removed in 1998 and a petroleum release was discovered. Initial laboratory analysis showed elevated concentrations of petroleum hydrocarbons were present below the former USTs. Results of deeper samples indicated concentrations of petroleum hydrocarbons were non-detect. Excavated soil was placed back into the excavation with the knowledge that it would be re-excavated at a later date if the soil analysis indicated contamination. The Montana Department of Environmental Quality (MDEQ) requested the soil be re-excavated and removed from the site but to date, these activities have not been performed. The site is an active LUST site.

In 1997, the Montana Department of Transportation (MDT) was considering purchase of the site for the Kalispell Bypass highway project. MDT was working with Norwest Bank on behalf of the site owner because KFGS was in bankruptcy. Norwest Bank hired Olympus Environmental, Inc. to complete a Phase I Environmental Site Assessment (ESA) on the site as pre-purchase due diligence for MDT. The 1997 Phase I ESA indicated that portions of the site had been used as dumping grounds for a variety of materials including scrap steel, discarded machinery, wood wastes, feed and seed, and chemical containers and that over 50 drums, of which at least 30 contained some liquid, and numerous 5-gallon pails were located on the site. Most of the drums were not labeled and at least one was leaking an unknown substance. Most of the drums and containers identified were on the north portion of the site and in a container storage area north of the B-6 shop building (see **Figure 2**).

On June 26, 1997, MDT filed a complaint with the MDEQ Enforcement Division due to the allegations of spills and improper drum labeling at the site and the potential for pesticides to impact the site and nearby Ashley Creek.

As a result of the complaint, MDEQ and the Montana Department of Agriculture (MDA) conducted an inspection of the site and subsequently notified the owner of various regulatory issues that needed to be addressed, including: used oil collection and storage, solid and/or hazardous waste accumulation and disposal, junk vehicles, and agricultural pesticide identification and management.

The site owner hired Corwin Environmental Consultants to help cleanup the site. By July 13, 1998, pesticide containers had been removed, at least six containers were identified for hazardous waste disposal, used oil had been consolidated and a petroleum recycler lined up for pickup and disposal, and a scrap metal dealer was contacted to remove the additional debris. Once the major portion of the site was cleaned up of containers and debris, the site was to be mowed and then inspected and tested for petroleum or other contamination, as per the MDEQ cleanup request. With one exception, there is no documentation that soil sampling was conducted at the site.

Records indicate that one soil sample was collected within the container storage area (north of B-6) for analyses of phenoxy-containing and organochlorine pesticides. Concentrations of toxaphene in the soil sample were more than four times the U.S. EPA's Region 9 Preliminary Remediation Goals (PRGs) for commercial properties. Concentrations of dicamba and 2, 4-D detected in the soil sample were well below EPA PRGs. There is no record that contaminated soil has been removed from the site.

A final activity report from the MDEQ Enforcement Division dated August 17, 2001 recommended that the complaint file be closed and the pesticide issue be referred to MDA. No files on the site were available at MDA.

Current use of the site and observations made during the May 18, 2007 site visit are summarized below (refer to **Figure 2** for building locations):

- B-1 is a two-story concrete block building with an attached warehouse occupied by Bob's Pickup and Delivery freight service. The storefront and upper-level apartment are currently vacant.
- B-2 is a sheet metal warehouse occupied by H&H Express freight service. Attached to B-2 is a feed mill of sheet metal and crib construction which is currently out-of-service.
- B-3 is a sheet metal shop constructed around a wood-frame building occupied by Above and Beyond Paint. Hazardous materials and/or petroleum products on the premises were observed to be properly stored. B-3 was a former gas station with four USTs and a bulk petroleum distributor. Three drums of unknown waste with associated soil staining were observed on the east side of the building. A pile of white waste material located on the north side of B-3 is reportedly from soda-blasting. The area north of B-3 was reportedly used as a chemical mixing and loading area associated with the KFGS contract spray business.

- B-4 is a sheet metal shop occupied by Hector Perez who salvages auto parts for resale and performs some automotive maintenance. Hazardous materials and/or petroleum products observed inside the facility were properly stored. Minor soil staining associated with vehicle leakage was observed outside the facility. A parts storage area north of the shop contained tires, batteries and fuel tanks which were stored directly on the ground surface.
- B-5 is a sheet metal shop and two-story office that has been occupied by Powder Coating of Kalispell for nine years. Other improvements include a kiln building and two small sheet metal sandblasting sheds. Drums of waste oil and a 100-gallon diesel tank were observed on the exterior of the shop. Three floor drains in the shop were reportedly cemented closed to avoid discharge of waste into the septic system. A large pile of sandblasting waste is present north of the shop. This material is periodically disposed of at the Flathead County landfill and testing has reportedly verified it is not hazardous waste. B-5 is located in the Ashley Creek floodplain.
- B-6 is a sheet metal shop occupied by Orvis Irrigation. Hazardous materials and/or petroleum products observed inside the facility were properly stored. Minor waste oil spillage was observed outside the shop from equipment or vehicle leakage. MDEQ inspections of the property in 1997 identified significant areas of waste oil-impacted soil around B-6. A floor drain in the shop discharges to a buried drum on the north side of the facility. The area north of the shop formerly contained a storage area of empty herbicide/pesticide containers. Soil sampled in the storage area contained toxaphene concentrations four times higher than federal cleanup levels for commercial properties.
- B-7 is a sheet metal shop occupied by Stable Lift manufacturing and welding. Hazardous materials and/or petroleum products observed were properly stored. MDEQ inspections of the property in 1997 identified significant areas of waste oil-impacted soil around B-7.
- B-8 is a concrete block shop occupied by Jim Palmer Signs. Hazardous materials and/or petroleum products observed were properly stored. This building formerly housed the grain terminal where trucks were on- and off-loaded and weighed. Scale equipment was removed, the vault filled with sand and concreted. A metal plate in the shop floor covers a service entrance to the grain chute. A grain elevator of sheet metal crib construction and concrete bases from five grain storage bins adjoin B-8 on the east.
- A fertilizer plant, consisting of a wood reactor building and nine large-capacity aboveground storage tanks (including two old railroad tankers) is situated near the old railroad grade. No secondary containment around the tanks was observed and one tank was corroded through. Mixing and loading of chemicals associated with the contract spraying business at the site was reportedly performed around the fertilizer plant.
- A drum disposal area was observed northwest of B-6. The majority of the drums were rusty, empty, and unlabeled. Labels observed on two drums indicated they contained caustic soda beans and sodium hydroxide anhydrous. Stressed vegetation was apparent in the drum disposal area. Aerial photographs from 1986 indicate this portion of the site was littered with debris, scrap, and vehicles.

The results of the Preliminary Assessment and All Appropriate Inquiry of the site indicate the following recognized environmental conditions:

Historical Recognized Environmental Conditions as defined by ASTM Practice E 1527-05, exist at those sites that have been remediated. Although the site has undergone some level of cleanup, it does not appear that remediation of the identified environmental concerns was completed. Therefore, no historical recognized environmental conditions were identified.

De Minimis Conditions as defined by ASTM Practice E 1527-05, generally do not present a material risk of harm to public health or the environment and would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. *De minimis* conditions identified at the site include:

- Stained soil associated with recent equipment leakage/spillage at B-4 and B-6.

Recognized Environmental Conditions as defined by ASTM Practice E 1527-05, are the presence or likely presence of any hazardous substances of petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release into the ground, groundwater or surface water of the property. Recognized environmental conditions, identified during this investigation are summarized below.

- The petroleum release associated with the B-3 gas station has not been resolved. Petroleum-impacted soil removed from the tank basin was returned to the excavation. Drums on the east side of the facility have impacted near-surface soils.
- KFGS operated a contract spray business for many years. Herbicides and pesticides were reportedly mixed north of B-3 and at the fertilizer plant. A stockpile of empty chemical containers was located north of B-6 in a fenced storage area. The herbicides dicamba and 2,4-D were detected in the soil samples at concentrations below EPA Preliminary Remediation Goals for commercial property; however, the pesticide toxaphene was measured at four times the PRGs. There is no record that impacted soil was removed from the herbicide/pesticide storage area north of B-6 as part of the cleanup at the site.
- Stressed vegetation associated with the drum disposal area northwest of B-6 represents a recognized environmental condition. Debris disposal in this area of the site was apparent in aerial photographs and documented in a Phase I ESA completed at the site in 1997. It is likely that leaking pesticide drums may also have caused soil and/or groundwater impacts in this area of the site.
- Seed treating may have occurred around the grain elevator at the site. Although this cannot be confirmed, it was a common practice at many grain elevators in the region. If improperly handled, seed treating chemicals have the potential to impact soil and/or groundwater.
- Although wood treatment reportedly did not occur on the site, one of the hazardous wastes identified at the site was water contaminated with pentachlorophenol in a drum.

- Fertilizer activities at the site may have caused environmental impact. It is reported that fertilizer was dispensed to customer's trucks from piles located directly on the ground surface. Although vegetation is lush in the vicinity of the former fertilizer plant, it is not known whether impacts to groundwater exist from excess nitrates. A fertilizer spill northeast of B-5 is also reported.
- Poor waste oil practices are documented around B-6 and B-7 in MDEQ inspection reports. There is also reference to soil stains being "covered up". Although current conditions do not suggest significant petroleum impacts, these areas of the site were identified for soil cleanup by MDEQ. There is no documentation to suggest that the cleanup occurred.
- Waste may have been discharged to floor drains and impacted near-surface soils at the site. The B-5 drains discharged to a septic system before being cemented closed. The B-6 floor drain discharged to a sump/drum disposal system. All six of the septic systems at the site have the potential to have had improper waste disposed through them.
- Piles of soda-blasting and/or sandblasting waste on the site may have the potential to cause environmental impact.

It is therefore Tetra Tech's opinion that further investigation of the site is warranted at this time. Our recommendations are summarized below:

- Remedial activities associated with the LUST at the site should be completed.
- A systematic sampling program should be developed to test soils across the site for herbicides, pesticides and petroleum hydrocarbons. Lead should also be sampled for, especially in areas where sandblasting occurred.
- Groundwater should be tested for herbicides, pesticides, nitrates, and petroleum products. Groundwater sampling should include the onsite water well, and shallow groundwater should also be evaluated.
- On-site wastes should be managed to ensure further environmental impacts do not occur.
 - A waste oil recycler should evaluate the contents of the drums on the east side of B-3 and handle proper disposal of these substances.
 - The white substance north of B-3 should be evaluated for proper disposal.
 - The sand blasting waste associated with the business on B-5 should be contained so that it does not spread to other areas of the site.
 - Tighter control on waste oil handling practices should be implemented to avoid future spills.

- Wood waste that has been used as fill material may need to be evaluated for decomposition and possible methane issues. These issues are particularly important for areas where buildings might currently exist or be built in the future.
- It should be noted that the majority of the site is subject to flooding and accumulation of wastes should be avoided. High water in and around the buildings could transport waste and impact other areas of the site or Ashley Creek. Flathead County should check with their environmental permitting staff to determine if wastes stored in the flood plain are allowed, or if the necessary permits for such wastes are in place.

REGULATORY AND TECHNICAL ACRONYMS

AAI	All Appropriate Inquiry
AST	Aboveground Storage Tank
CECRA	Comprehensive Environmental Cleanup and Responsibility Act
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Information System
DAF	Dilution Attenuation Factor
EPA	U.S. Environmental Protection Agency
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
KFGS	Kalispell Feed and Grain Supply
LUST	Leaking Underground Storage Tank
MDA	Montana Department of Agriculture
MDEQ	Montana Department of Environmental Quality
MDT	Montana Department of Transportation
MSD	Minimum Search Distance
NFRAP	No Further Remedial Action Planned
NPL	National Priorities List
PA	Preliminary Assessment
PCB	Polychlorinated Biphenyl
ppm	parts per million
RBSL	Risk-Based Screening Levels
RCRA	Resource Conservation and Recovery Act
SSL	Soil Screening Level

**REGULATORY AND TECHNICAL ACRONYMS
(continued)**

USDA	United States Department of Agriculture
USGS	United States Geological Survey
UST	Underground Storage Tank
VCRA	Voluntary Cleanup and Redevelopment Act
VOC	Volatile Organic Compounds
WQA	Water Quality Act

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1.0 INTRODUCTION

In accordance with our revised proposal dated April 23, 2007 and Task Order No. 2 under Contract No. 407036 with the Montana Department of Environmental Quality (MDEQ) (hereinafter, the Client), Tetra Tech, Inc. (Tetra Tech), performed a Preliminary Assessment (PA) and All Appropriate Inquiry (also known as a Phase I Environmental Site Assessment) of the property located at 3450 U.S. Highway 93 South, Kalispell, Montana (hereinafter, the site). The PA was conducted in general accordance with Standard E 1527-05 issued by the American Society of Testing and Materials (ASTM) and conforms to the U.S. Environmental Protection Agency's Standards and Practices for All Appropriate Inquiries - Final Rule published November 1, 2005. **Appendix A** presents a copy of our Scope of Services for this project.

1.1 Purpose

The purpose of this PA is to assist the Client in developing information to identify current and historical recognized environmental conditions in connection with the property as reflected by the scope of this report. ASTM Standard E 1527-05 states that: "This practice is intended for use on a voluntary basis by parties who wish to assess the environmental condition of commercial real estate taking into account commonly known and reasonably ascertainable information. While use of this practice is intended to constitute all appropriate inquiry for the purposes of landowner liability protection, it is not intended that its use be limited to that purpose. This practice is intended primarily as an approach to conducting an inquiry designed to identify recognized environmental conditions in connection with a property." We understand the Client has requested preparation of this PA at the request of Flathead County who recently acquired the property through a tax deed.

1.2 Significant Assumptions

Tetra Tech assumes that all information obtained from others for the property is correct and complete. Tetra Tech also assumes that the Client and/or the current owner/owners of the property have provided Tetra Tech with all reasonably ascertainable prior environmental information concerning the property. Tetra Tech assumes that the user will read this report in its entirety.

1.3 Recognized Environmental Conditions

This report is an instrument of service of Tetra Tech and includes limited research, a review of specified and reasonably ascertainable listings and a site reconnaissance to identify "recognized environmental conditions" in general accordance with ASTM Standard E 1527-05; however, this PA may reflect additional or reduced services or service enhancements requested or authorized by the Client. "Recognized environmental conditions" are defined under the ASTM standard as "the presence or likely presence of any hazardous substances or petroleum products on a site under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property." The term is not intended to include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Tetra Tech's PA was performed in accordance with generally accepted practices of the profession undertaken in similar studies at the same time and in the same geographical area, and Tetra Tech observed that degree of care and skill generally exercised by the profession under similar circumstances and conditions.

2.0 LIMITATIONS OF ASSESSMENT AND DATA GAPS

Tetra Tech has endeavored to meet what it believes is the applicable standard of care for the services performed and, in doing so, is obliged to advise the Client of limitations associated with PAs. Tetra Tech believes that providing information about limitations is essential to help clients identify and thereby manage risks. These risks can be mitigated--but not eliminated--through additional research. Tetra Tech will, upon request, advise the Client of the additional research opportunities available and associated costs.

This PA did not include any inquiry with respect to radon, methane, asbestos containing materials, lead-based paint, lead in drinking water, formaldehyde, endangered species, wetlands, subsurface investigation activities or other services or potential conditions or features not specifically identified and discussed herein. In those instances where additional services or service enhancements are included in the report as requested or authorized by the Client, specific limitations attendant to those services are presented in the text of the report.

The findings and opinions conveyed via this PA report are based upon information obtained at a particular date from a variety of sources enumerated herein, and which Tetra Tech believes are reliable. Nonetheless, Tetra Tech cannot and does not warrant the authenticity or reliability of the information sources it has relied upon.

This report represents Tetra Tech's service to the Client as of the report date. In that regard, the report constitutes Tetra Tech's final document, and the text of the report may not be altered in any manner after final issuance of the same. Opinions relative to environmental conditions given in this report are based upon information derived from the most recent site reconnaissance date and from other activities described herein. The Client is herewith advised that the conditions observed by Tetra Tech are subject to change. Certain indicators of the presence of hazardous materials may have been latent or not present at the time of the most recent site reconnaissance and may have subsequently become observable. In similar manner, the research effort conducted for a PA is limited. Accordingly, it is possible that Tetra Tech's research, while fully appropriate for a PA and in compliance with the scope of service, may not include other important information sources. Assuming such sources exist, their information could not have been considered in the formulation of our findings and conclusions.

This report is not a comprehensive site characterization or regulatory compliance audit and should not be construed as such. The opinions presented in this report are based upon findings derived from a site reconnaissance, a review of specified records and sources and comments made by interviewees. Specifically, Tetra Tech does not and cannot represent that the site contains no hazardous or toxic materials, products, or other latent conditions beyond that observed by Tetra Tech during its site assessment. Further, the services herein shall in no way be construed, designed or intended to be relied upon as legal interpretation or advice.

A data gap is lack of or inability to obtain information required by ASTM Standard E 1527-05 despite good faith efforts to gather such information. Data gaps may result from incompleteness in any of the activities required by ASTM Standard E 1527-05, including, but not limited to site reconnaissance. No data gaps were identified during completion of this project.

3.0 USER PROVIDED INFORMATION

A questionnaire was provided to Flathead County at the initiation of the project to gather information that may be material to identifying recognized environmental conditions. A copy of the questionnaire completed by Flathead County is included in **Appendix A**. Responses to the questionnaire are summarized below.

3.1 Title Records

Title records were not provided to Tetra Tech by Flathead County.

3.2 Environmental Liens, Activities or Use Limitations

Flathead County, as the user of this PA, has indicated that they are not aware of any environmental cleanup liens against the site that are filed or recorded under federal, tribal, state or local law. Flathead County has also indicated that they are not aware of any activity use limitations, such as engineering controls, land use restrictions or institutional controls that are in place on the site and/or have been filed or recorded in a registry under federal, state or local law.

3.3 Specialized Knowledge

Flathead County, as the user of this PA, has indicated that they do not have any specialized knowledge or experience related to the site. Flathead County is not involved in the same line of business as the current or former occupants of the site. Flathead County has no knowledge of the chemicals and processes used by current or former occupants of the site.

3.4 Commonly Known or Reasonably Ascertainable Information

Flathead County, as the user of this PA, has indicated that they are aware of commonly known or reasonably ascertainable information about the site that would help the environmental professional to identify conditions indicative of releases or threatened releases. Flathead County has also indicated that they are aware of specific chemicals that are or may have been present on the site, spills or chemical releases on the site, and/or cleanups that may have taken place on the site and that this information has been provided to the environmental professional.

3.5 Valuation Reduction for Environmental Issues

Flathead County, as the user of this PA, has indicated that the price being paid for the site does not reasonably reflect the fair market value of the property. This is a tax sale property and Flathead County is the current owner.

3.6 Owner, Property Manager and Occupant Information

Flathead County, as the user of this PA, has indicated that they are not aware of any obvious indicators that point to the presence or likely presence of contamination at the site.

3.7 Reasons for Performing Phase I

The PA was requested by Flathead County to properly assess and address any environmental issues at the site.

4.0 SITE DESCRIPTION

This site is located at 3450 U.S. Highway 93 South, approximately 3.5 miles south of the city of Kalispell, in Flathead County, Montana. The site consists of two parcels of land; Tract 5CCA and Tract 6BA (**Figure 1**).

- Tract 5CCA (Geocode 07396633301010000), consists of 9.62 acres in the NW¼ SW¼ and the SW¼ NW¼ of Section 33, Township 28 North Range 21 West. Tract 5CCA is generally triangular in shape and adjoins a former railroad grade along its northeast boundary, U.S. Highway 93 at its southeast corner, and Tract 6BA on the west. Tract 5CCA is zoned I-IH which is heavy industrial. According to Flathead County GIS data, this parcel is not located in the floodplain.
- Tract 6BA (Geocode 07396632101100000), consists of 5.63 acres in the NE¼ SE¼ Section 32, Township 28 North, Range 21 West. Tract 6BA is irregular in shape due to its boundary with Ashley Creek on the west. Tract 6BA is zoned SAG-5 which is Suburban Agricultural with a 5-acre minimum. According to Flathead County GIS data, this parcel is almost entirely located in the 100-year floodplain.

Site location documentation is contained in **Appendix B**.

At the time of our reconnaissance, Tracts 5CCA and 6BA were improved with a variety of industrial and commercial buildings, most of which were occupied. Site improvements and current occupants include the following. **Figure 2** presents a site plan.

Tract 5CCA

- Building 1 (B-1) is a two-story building concrete block building with a pitched metal roof and attached warehouse occupied by Bob's Pickup and Delivery freight service. The storefront and upper-level apartment are currently vacant.
- Building 2 (B-2) is a sheet metal warehouse with concrete slab floor and flat metal roof occupied by H&H Express freight service. Attached to B-2 is a feed mill of sheet metal and crib construction.
- Building 3 (B-3) is a sheet metal shop constructed around a wood-frame building that is occupied by Above and Beyond Paint.
- Building 4 (B-4) is a sheet metal shop with concrete slab floor and flat roof occupied by Hector Perez who salvages auto parts for resale.
- Building 6 (B-6) is a sheet metal shop with concrete slab floor and flat roof shop occupied by Orvis Irrigation.
- Building 7 (B-7) is a sheet metal shop with concrete slab floor and flat roof shop occupied by Stable Lift manufacturing and welding.
- Building 8 (B-8) is a concrete block shop with concrete slab floor and flat metal roof occupied by Jim Palmer Signs. A grain elevator of sheet metal crib construction and concrete bases from five grain storage bins adjoin B-8 on the east.

- A fertilizer plant, consisting of a wood reactor building and nine large-capacity aboveground storage tanks, is situated in the north portion of Tract 5CCA.

Tract 6BA

- Building 5 (B-5) is a sheet metal shop and two-story office with concrete slab floor and flat metal roof occupied by Powder Coating of Kalispell. Other improvements include a kiln building and two small sheet metal sandblasting sheds.

The east portion of the site is approximately 20 feet higher in grade than the remainder of the site and may be constructed on fill. A slope break exists north and west of B-8, otherwise the site is generally level and gently sloping towards Ashley Creek. Areas of the site not occupied by the buildings consist of unpaved driveways and parking areas, and areas vegetated with grass and weeds. The northwest boundary of the site along Ashley Creek is vegetated with thick brush and shrubs. The Flathead River is located approximately one mile east of the site.

Utilities on and near the site include a domestic well which provides water to all businesses at the site, and six septic systems. Overhead electric borders the site on the east and south and also crosses the north and western portions of the site. A total of 14 pole-mounted transformers were observed on or adjacent to the site. Underground utilities also include natural gas, telephone, and fiber optics.

Properties adjoining the site consist of vacant pasture land beyond Ashley Creek to the north and west and commercial businesses along U.S. Highway 93 to the east and south. For the purposes of this PA, the term "adjoining property," as defined by the ASTM standard means properties that border or are contiguous or partially contiguous with the site or would be so but for a street, road or other public thoroughfare separating them.

5.0 RECORDS REVIEW

5.1 Historical Use Information

Historical use information for the site and adjoining properties was obtained by reviewing reasonably ascertainable historical sources such as aerial photographs, city directories and additional sources listed below. Uses of the site are referenced from the present back until 1940 using reasonably ascertainable standard historical sources, as noted below; whereas, site uses prior to 1940 until prior to site development relied upon at least one historical source.

5.1.1 Review of Aerial Photographs

Reasonably available aerial photographs depicting development of the site and site vicinity were reviewed at periodic intervals, as summarized below. Evaluation of aerials is controlled by aerial photograph scale and quality. Aerial photographs prior to 1937 were not available for this project. Copies of noteworthy aerials are presented in **Appendix C**.

AERIAL PHOTOGRAPH SUMMARY		
Date	Source of Aerial	Photo ID No.
8/16/1937	Natural Resources Conservation Service	M1-37-88
The 1937 aerial photograph shows the site as vacant land along Ashley Creek with the railroad forming the northeast boundary. Properties adjoining the site to the east, west and south were vacant. Farm residences are visible a short distance south of the site and north of the site across Ashley Creek. A small road adjoined the site on the east (Highway 93) and an excavation is visible north of the site between the railroad grade and highway.		
8/18/1946	Natural Resources Conservation Service	G8-CJ
The 1946 aerial photograph shows the site as vacant land. Concentric row markings are visible across the site suggesting hay has been cut. Property adjoining the site to the east, west and south remained vacant. Farm residences are apparent a short distance south of the site and to the north across Ashley Creek. The excavation north of the site between the railroad and highway remained visible.		
8/8/1954	Natural Resources Conservation Service	Mi-10K-149
The 1954 aerial photograph shows the site improved with two long, narrow buildings. Piping from each building extends to a circular object in the center of the site which resembles a teepee burner. Areas of the site and the adjoining property to the south appeared clear of vegetation and may have been used for lumber storage. Property east and west of the site remained vacant and a farm residence occupied property north of the site across the creek.		
8/4/1961	Natural Resources Conservation Service	M1-3BB-127
The 1961 aerial photograph shows four buildings and a teepee burner improved on the site. The majority of the site, and the adjoining property to the south, was covered with dimensional lumber storage. Ashley Creek appeared as a wetland and not confined to a channel suggesting it may have been used as a mill pond. Property east and west of the site was vacant. South of property used for lumber storage in conjunction with the site was a junk yard. North of the site, across Ashley Creek was a residence with livestock corrals.		
6/14/1974	Natural Resources and Conservation Service	A40-30029-174-71
The 1974 aerial photograph shows no buildings or improvements present on the site with the exception of a rectangular slab from a former building. A loop driveway is visible around the site as are graded areas clear of vegetation. Property adjoining the site consisted of vacant land to the south and west. Property east of the site across the highway had been graded level in preparation for construction. North of the site across Ashley Creek was a residence with livestock corrals.		

AERIAL PHOTOGRAPH SUMMARY		
Date	Source of Aerial	Photo ID No.
4/25/1977	Montana Department of Transportation	322-121
<p>The 1977 aerial photograph shows the site improved with what appears to be three separate businesses: a grain storage facility, a bulk commodity distributor, and a building contractor. The grain storage business occupied the east portion of the site fronting Highway 93 with improvements consisting of three buildings and five grain bins. Exterior storage occupied areas southwest of the main building. The bulk distributor occupied the northeastern portion of the site adjacent to the railroad tracks, with improvements consisting of two buildings and eight storage tanks. Areas around the tanks appeared unpaved and no secondary containment is visible. The building contractor occupied the west portion of the site with improvements consisting of two small buildings and stacks of dimensional lumber. The area west of the southern-most building was occupied by miscellaneous storage. A building may have been removed from the southwest corner of the property where a square area devoid of vegetation is apparent. The north portion of the site appeared devoid of vegetation and may have previously been used for material storage. Property adjoining the site consisted of vacant land beyond Ashley Creek to the west, a residence with small livestock corrals to the north across Ashley Creek, an agricultural equipment sales yard and new commercial building to the east across Highway 93, and a commercial building to the south.</p>		
3/20/1986	Montana Department of Transportation	427-234
<p>The 1986 aerial photograph shows the site occupied by two of the three businesses described in the 1977 photo. The grain storage business contained the main building, five grain bins plus three other structures in a different configuration than previously observed. The west portion of the grain business appeared to be a boneyard littered with scrap equipment. Fuel dispenser islands are visible south west of the grain business. The bulk commodity business appeared essentially the same as previously described with two railroad tankers situated east of six storage tanks. Debris and vehicles surround the building. The west portion of the site formerly occupied by the building contractor contained four small buildings but little exterior storage. The northern portion of the site was littered with junk vehicles, scrap metal and piles of discarded materials. Property adjoining the site consisted of vacant land to the west across Ashley Creek, a residential property with small livestock corrals to the north across Ashley Creek, two commercial buildings to the east across Highway 93, a commercial building with heavy equipment sales to the south adjacent to Highway 93, and vacant land south of the remainder of the site.</p>		
2006	Natural Resource Information System	-
<p>The 2006 aerial photograph shows the site improved with eight buildings, some with exterior material storage. The five grain bins had been removed from the grain business on the east portion of the site. Tanks associated with the commodity distributor remained visible similar to previous descriptions. The most notable change to the site is the absence of junk vehicles, scrap metal and piles of debris on the north and northwest portions of the site adjacent to Ashley Creek. In 2006, these areas appeared well vegetated and generally free of debris. Properties adjoining the site consisted of two commercial businesses east across Highway 93, and a commercial business to the south. Environmental concerns were not apparent on properties adjoining the site.</p>		

Based on the aerial photograph review, potential recognized environmental concerns on the site may include:

- Possible seed treating associated with the grain elevator business,
- Spills, overfills and leaking tanks associated with the fuel dispenser islands,
- Spills and overfills from storage tanks associated with the commodity distributor, and
- Impacts from waste disposal practices.

Further details on these issues are presented in subsequent sections of this report. Recognized environmental conditions were not apparent on properties adjoining the site.

5.1.2 Polk City Directories

Polk City directories include listings of residents, businesses and professional concerns organized both alphabetically by name similar to a telephone book, and alphanumerically by street name then

specifically by street address. Older directories used in this study were made available through the Montana Historical Society Library in Helena.

Reasonably available listings for the site and site vicinity were reviewed at periodic intervals between 1930 and 2000. Listings were reviewed to identify names of facilities suggesting use, generation, storage, treatment or disposal of potentially hazardous materials or petroleum products.

Street names researched included U.S. Highway 93 South. Listings for the site are shown in the following table.

POLK CITY DIRECTORY LISTINGS ON-SITE		
Year	Listing Address	Listing Name
1930, 1943, 1951, 1955, 1959, 1965, 1970, 1975	3450 Highway 93 South	No Listings
1980	3450 Highway 93 South	Wrangler Oil, Inc., Kalispell Feed & Grain
1985	3450 Highway 93 South	Wrangler Oil, Inc., Kalispell Feed & Grain, Parker Livestock Supply
1990	3450 Highway 93 South 3454 Highway 93 South	Parker Livestock Supply Amazing Grains, food manufacturer
1996	3450 Highway 93 South	Parker Livestock Supply; Swallow Grain
2000	3450 Highway 93 South 3454 Highway 93 South	Lextron, veterinary supply; Swallow Grain, grain Stable Lift Corp., industrial trucks/tractors

Review of the Polk Directories revealed businesses of environmental concern on the site including:

- Petroleum businesses; 1980 and 1985
- Agricultural businesses; 1980, 1985, 1990, 1996 and 2000
- Industrial manufacturing businesses; 2000

Polk Directory listings in the immediate site vicinity are presented in the following table.

POLK CITY DIRECTORY LISTINGS WITHIN SITE VICINITY			
Year	Listing Address	Listing Name	Distance and Direction from Site
1930, 1943, 1951, 1955, 1959, 1965, 1970	Vicinity of 3450 Highway 93 South	No Listings	-
1975	3560 Highway 93 South	Montana Steel & Equipment	Adjoining site on south
1980	3500 Highway 93 South 3560 Highway 93 South	Long Machinery Kasberg's Welding	Adjoining site on south Adjoining site on south
1985	3445 Highway 93 South 3500 Highway 93 South 3560 Highway 93 South	Sutton's Equipment (industrial supply) Long Machinery Solberg Trucking	Adjoining site on east Adjoining site on south Adjoining site on south
1990	3500 Highway 93 South 3560 Highway 93 South	Long Machinery Solberg Trucking	Adjoining site on south
1995	3445 Highway 93 South 3500 Highway 93 South 3560 Highway 93 South 3590 Highway 93 South 3593 Highway 93 South	Pierce Manufacturing Long Machinery Solberg Trucking St. Onge Logging Inc. Aamco Transmission; 93 Wood Products	Adjoining site on east Adjoining site on south Adjoining site on south ¼ mile south of site ¼ mile southeast of site
2000	3500 Highway 93 South	Long Machinery	Adjoining site on south

Businesses of environmental concern in the site vicinity included various machinery and equipment dealerships, trucking, and wood products businesses. Due to their distance from the site, the majority of these businesses do not represent an environmental concern to the site. Further details on many of these facilities are presented in subsequent sections of this report.

5.1.3 Sanborn Fire Insurance Maps

In the late nineteenth century, the Sanborn Company began preparing maps for use by fire insurance companies. These maps indicate construction materials of specific structures in developed urban areas. These maps were updated and expanded geographically periodically through the twentieth century. Sanborn Maps are typically published for central business districts and were not available for the site.

5.1.4 Ownership Review

Records reviewed at the Flathead County Clerk and Recorder's office indicate the current owner of the site is Flathead County. Flathead County obtained a tax deed for the site in 2007. Prior to this, the site was owned by Kalispell Feed & Grain Supply Inc. who acquired the property from various private individuals in 1974. In 1960 the site was owned by Monarch Lumber Company who sold the property as Boise Cascade in 1969. Both parcels which comprise the site (5CCA and 6BA) were always under common ownership. A summary of deed records are included in **Appendix C**. No leases for the site were available for review.

The ownership information revealed past owners of the site whose company titles or individual names suggest activities typically associated with the use, generation, storage or disposal of hazardous materials. Specifically, Kalispell Feed & Grain Supply may have been involved in dispensing farm and ranch chemicals which would have the potential to impact the site.

5.1.5 Appraisal Information Review

Appraisal information on the site was reviewed on the Montana Cadastral website (<http://gis.mt.gov/>). A summary of the cadastral data is presented below with relevant documents contained in **Appendix B**. Details on structural improvements were not available on-line.

Appraisal information on the site was also reviewed at the Flathead County Appraisal Office. Records from 1978, 1985, 1996, and 2002 were reviewed to determine past improvements on the site as well as details on current improvements.

SUMMARY OF FLATHEAD COUNTY APPRAISAL INFORMATION			
Building No.	Year Constructed	Building Size/Construction Details	Former Use/Occupants
B-1	1976	Office – 3,480 square feet Warehouse – 1,632 square feet Rail siding (gone) Scales – 80 ton (gone)	Kalispell Feed & Grain
B-2		Metal warehouse – 1,440 square feet Elevator w/ basement Drive house – 462 square feet (gone) Switch house/boiler house – 440 sq. feet (gone)	Feed Mill
B-3	1976	Storage and office building – 40' x 60' = 2,400 square feet 2-20,000 gallon UST (gone) 2-12,000 gallon UST (gone)	Service Station, Wrangler Oil, Valcon

SUMMARY OF FLATHEAD COUNTY APPRAISAL INFORMATION			
Building No.	Year Constructed	Building Size/Construction Details	Former Use/Occupants
B-4	1976	Office and storage building – 25' x 36' = 900 square feet; steel building with flat roof	T. Fowler Trucking
B-5	1976	48' x 60' = 2,880 square feet Car Wash building – 17' x 50' = 850 square feet	Campfire Memories, Campfire Products, Inc. Powder Coating of Kalispell
B-6	1976	46' x 60' = 2,760 square feet including shop, office, restroom, parts deck, floor drain	Orvis Irrigation
B-7	1976	Shop building – 36' x 40' = 1,400 square feet Addition in 2005 – 36' x 40' + 1,400 square feet	
B-8	1976	Drive house – 1,848 square feet Scale house – 450 square feet Elevator – 7,000 bushels Truck scale (gone) 5 grain storage tanks (gone) – 17,000 bushels	Grain Terminal
Fertilizer plant	1976	Reactor building – 16' x 24' = 384 square feet Pump station (gone) – 60 square feet Pressure tank – 8' diameter x 28' long Tank – 12' diameter x 20' high Tanks – 10' diameter x 22' high (2) Tank – 10' diameter x 32' high Tank – 6' diameter x 16' high Old railroad tankers – 8' diameter x 36' long (2)	Sunwest Leasing

Review of the appraisal information documents the industrial nature of the site with a grain terminal, feed mill, grain elevators, fertilizer plant, gas station, and other businesses of potential environmental concern. Further details on these facilities are presented in subsequent sections of this report.

5.2 Physical Setting Information

The physical setting of the site was determined through review of published reports and maps depicting topography, soil, and geologic information. This information is useful in predicting contaminant movement in the environment.

5.2.1 Topography

The 1962 (photorevised - 1982) 7.5 minute USGS Topographic Quadrangle Map of Kalispell, Montana indicates the site is located on relatively flat terrain. The general direction of surface water drainage appears to be northwest toward Ashley Creek, which borders the site on the west. Surface elevation for the site is approximately 2,910 feet above mean sea level. The topographic map shows U.S. Highway 93 and the Burlington Northern railroad bordering the site on the northeast. One building was located on the site in 1962. A driveway and five smaller structures are shown on the site in the photorevision suggesting these structures were added between 1962 and 1982. Abandoned meanders associated with the Flathead River are located approximately one mile east of the site.

5.2.2 Soil Conditions

According to the Soil Survey of Flathead County, Montana, USDA, Soil Conservation Service, the site is located on soils of the Corvallis silt clay loam and Kalispell-Demers silt loam classifications. The Corvallis series consists of deep, silty soils on floodplains. These soils have developed from

alluvium derived from fine-textured quartzite, argillite, dolomite, and limestone that washed from glaciated uplands, high terraces, and eroding streambanks. The alluvium has accumulated in slack-water areas a short distance from streams. The Kalispell-Demers series is mainly on well-drained terraces. Areas of this complex are about 70 to 80 percent Kalispell silt loam, moderately deep over sand, and 20 to 30 percent Demers silt loam.

5.2.3 Regional and Site Geology

The site is located within the Flathead Valley, which is bounded by the Whitefish and Swan mountain ranges to the north and east, the Salish Mountains to the west and Flathead Lake to the south. During the last ice age, the Kalispell Valley was filled with a glacier thousands of feet thick (Alt, 1984). This mass of ice shaped the surrounding landscape, leaving behind a linear, flat-bottomed valley which extends to the north and south for a total of several hundred miles. The glacier deposited sediment as it moved southward ranging in size from boulders to clay. In more recent times, the Kalispell Valley has received sediment derived from the surrounding mountains. Rivers, draining into Flathead Lake, have delivered clay, silt, sand and gravel to the valley accumulating in areas to several hundred feet thick (Konizeski et al., 1968).

5.2.3 Regional Groundwater Conditions

Groundwater is an important resource in the Kalispell Valley, as thousands of residents rely on it for domestic supplies. In the vicinity of the site, deltaic-sands form the Holocene floodplain aquifer. This aquifer is not an important source of water because it is much less permeable and has more dissolved constituents than the underlying confined aquifer. Stage fluctuations of 10 feet in Flathead Lake due to releases from Kerr Dam annually reverse the hydraulic gradient in the deltaic-sand aquifer within ½ mile of affected surface-water bodies, including Flathead Lake, the Flathead River, and associated sloughs and oxbows. During May and June, when the lake level is highest, lake water recharges the aquifer; during mid-November, when the lake level declines below the water table, groundwater reverses its flow direction and begins to discharge to the lake. Precipitation and evapotranspiration also directly affect storage in the deltaic-sand aquifer (Nobel and Stanford, 1986 in Kendy and Tresch, 1996).

Underlying the floodplain aquifer is a deep Pleistocene confined aquifer consisting of glacial outwash. As the principal aquifer in the Kalispell Valley, the deep Pleistocene confined aquifer supplies municipal water for the City of Kalispell, irrigation water for hundreds of acres, and domestic water for main basin residents. Within the deep Pleistocene confined aquifer, groundwater generally flows from the edges of the basin toward the Flathead River, where it discharges into floodplain alluvium. The aquifer is recharged by precipitation and runoff near the basin margins and by subsurface flow from the surrounding mountains (Kendy and Tresch, 1996). In the vicinity of the site, groundwater flow in the deep confined aquifer would be towards the east and the Flathead River.

The Montana Bureau of Mines and Geology Groundwater Information Center (GWIC) database was reviewed for wells in the site vicinity. Four wells are listed in the SE¼ Section 32, T28N R21 West. These wells range in depth from 13 to 260 feet below surface and yield between 4 and 70 gallons per minute. Fourteen (14) wells are listed in the SW¼ Section 33, T28N R21 West. These wells range in depth from 35 to 318 feet and yield between 15 and 150 gallons per minute. All wells in these areas were drilled for domestic purposes. The site well was not listed in the GWIC database.

A well log for the site was obtained from the MDEQ LUST files reviewed (see Appendix for a copy of the well log). The well log report indicates the well was drilled for domestic and industrial purposes in 1974 to a depth of 168 feet. Static water level is reported at 4 feet below land surface and the well test data yielded 35 gallons per minute.

5.3 Regulatory Review

The purpose of the records review is to obtain and review reasonably ascertainable records that will help identify recognized environmental conditions in connection with the site. For this review, records were obtained from the U.S. Environmental Protection Agency (EPA) and the Montana Department of Environmental Quality (MDEQ) on-line databases. The approximate minimum search distance (MSD) for the site vicinity review is noted under each database listed below. Regulated facilities are shown on **Figure 3** and documentation is presented in **Appendix D**.

The site was identified on two of the databases reviewed.

- MDEQ Leaking Underground Storage Tank
- MDEQ Underground Storage Tank

A summary of the database information in the site vicinity appears below.

SUMMARY OF REGULATED FACILITIES IN THE PROPERTY VICINITY		
Radius	Data Source	Number of Facilities
1.0 Mile	EPA National Priorities Listing (NPL)	None
0.50 Mile	EPA Comprehensive Emergency Response and Cleanup Liability Information System (CERCLIS) and CERCLIS No Further Remedial Action Planned (NFRAP)	None
1.0 Mile	EPA RCRA facilities under Corrective Action (CORRACTS)	None
0.5 Mile	EPA Resource Conservation and Recovery Act (RCRA) Non-CORRACTS for Treatment, Storage, and Disposal (TSD) Facilities	None
0.5 Mile	EPA RCRA Database for Generator and Transporter Facilities	2
Property	EPA Emergency Response Notification System (ERNS)	None
1.0 Mile	MDEQ Comprehensive Environmental Clean-up Responsibility Act (CECRA - State Superfund)	None
0.50 Mile	MDEQ Voluntary Cleanup and Redevelopment Act (VCRA) Registry	None
0.50 Mile	MDEQ Brownfields Registry	None
0.50 Mile	MDEQ Water Quality Act (WQA) Database	None
0.50 Mile	MDEQ Solid Waste Registration (Landfills)	None
0.50 Mile	MDEQ Leaking Underground Storage Tank (LUST)	Site + 3
0.25 Mile	MDEQ Underground Storage Tank (UST)	Site + 4

5.3.1 Federal Database Information

Federal NPL Site List

The National Priority List (NPL) was reviewed to identify Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) facilities within one mile of the site. No NPL facilities were identified within the search radius.

Federal CERCLIS List

The EPA CERCLIS database identifies facilities that have potential releases of hazardous substances as reported under CERCLIS, Section 103 or by private citizens. Resource Conservation and Recovery Act (RCRA) permitted facilities do not appear on this database, but NPL facilities are typically listed. No CERCLIS or NFRAP (No Further Remedial Action Planned) CERCLIS facilities were identified within a ½-mile radius of the site.

Federal RCRA List

Facilities listed in the RCRA database are designated as hazardous waste treatment, storage, and disposal (TSD) facilities, hazardous waste generators or hazardous waste transporters. The database review revealed that no TSD facilities were identified within ½ mile of the site, no facilities under correction action (CORRACTS) were identified within a 1-mile radius of the site, and two hazardous waste generators/transporters were identified within ½ mile of the site.

- City Service Truck Stop, 990 Demersville Road (Map No. 1, Figure 3), is a conditionally exempt small quantity generator with no history of violations.
- Northland Fabrication, 3245 Highway 93 South (Map No. 2, Figure 3), has notified as a RCRA generator but is under reporting requirements. Their waste generating activities are associated with household goods repair and maintenance.

Federal ERNS List

A review of the Emergency Response Notification System (ERNS) database was conducted to identify reported releases of oil and of hazardous substances on or adjacent to the site. The database contains information from spill reports made to federal agencies including the EPA, U.S. Coast Guard, the National Response Center, and the Department of Transportation. No releases were identified on the site.

Federal Open Dumps List

The EPA defines open dumps as any facility where solid waste is disposed of which is not a sanitary landfill that meets the criteria promulgated under Section 4004 and which is not a facility for disposal of hazardous waste. No open dumps were identified within ½ mile of the site.

5.3.2 State Database Information

Montana CECRA Listings

The MDEQ administers the Comprehensive Environmental Clean-up and Responsibility Act (CECRA), which is the state equivalent to the EPA Superfund program. No CECRA facilities were identified within a 1-mile radius of the site..

Montana VCRA List

The MDEQ administers the Voluntary Cleanup and Redevelopment Act (VCRA) program for properties that are investigated and remediated at the initiation of the property owner, in accordance with MDEQ requirements. No VCRA sites were identified within a ½-mile radius of the site.

Montana Brownfield Registry

The MDEQ maintains a registry of properties that have undergone brownfields redevelopment. No brownfields properties were identified within a ½-mile radius of the site.

Montana WQA List

The MDEQ maintains a priority list of release sites that are regulated under the Water Quality Act. No WQA sites were identified within a ½-mile radius of the site.

Montana Closed Solid Waste Disposal Facility Listings

The MDEQ listing of closed solid waste disposal facilities was searched for facilities within ½-mile of the site. No closed solid waste facilities were identified within the search radius.

Montana LUST Listings

The MDEQ Leaking Underground Storage Tank (LUST) Program database was reviewed for facilities within a ½-mile radius of the site. The site and three other facilities were identified on the LUST list.

LUST FACILITIES WITHIN SEARCH RADIUS				
Map No.	Facility Name/Location Identification Number	Distance & Direction from Site	Apparent Gradient from Site	Remarks
SITE	Kalispell Feed & Grain Supply LUST 3494 3450 U.S. Highway 93 South 15-08356-3621	SITE	SITE	Confirmed release 12/0/1998. Active leak case.
3	Longs Machinery - LUST 4101 3500 U.S. Highway 93 South 15-14005-4113	Adjoining site on south	Upgradient	Confirmed release 1/27/2002. Active leak case.
4	Montana Tractor Inc.- LUST 2674 3167 U.S. Highway 93 South 15-10271-2920	~1/2 mile North	Downgradient	Confirmed release 5/3/1996. Active leak case.

LUST FACILITIES WITHIN SEARCH RADIUS				
Map No.	Facility Name/Location Identification Number	Distance & Direction from Site	Apparent Gradient from Site	Remarks
5	Solberg Trucking Inc. - LUST 2521 3560 U.S. Highway 93 15-06211-2906	Adjoining site on South	Upgradient	Confirmed release 4/30/1996. Resolved leak case.

Kalispell Feed and Grain Supply – A letter dated January 26, 2001 from MDEQ to John Martin (site owner) stated “initial laboratory analysis show that elevated concentrations of petroleum hydrocarbons from diesel and gasoline tanks, 160 parts per million (ppm) and 300 ppm respectively, were present below the former USTs. At the request of MDEQ, deeper samples were obtained and those results indicate that concentrations of petroleum hydrocarbons are non-detect. Soil that was excavated was placed back into the excavation pit with the knowledge that it would be re-excavated at a later date if the soil analysis indicated contamination.” MDEQ requested that the soil be re-excavated and removed from the site. To date, these activities have not been performed and therefore, represent a recognized environmental condition.

Solberg Trucking – This facility adjoins the site on the south. Approximately 20 cubic yards of soil was removed from beneath the former diesel dispenser. A soil sample collected following excavation and disposal indicated non-detectable concentrations of hydrocarbons were present. Therefore, this facility does not represent an environmental concern to the site.

Longs Machinery – This facility adjoins the site on the south (at the former location of Solberg Trucking). A Phase 3 Remedial Action Report describes the issues of environmental concern at this facility (Land and Water, 2002) which include a LUST area, wash pad holding area, waste oil UST basin, and two dry wells. Remedial actions have included the removal of petroleum-impacted soil from a release near the wash pad holding tank and investigation of a suspect release near a removed waste oil UST.

The wash pad holding tank investigation found petroleum-impacted soils below breaks in collection lines next to the tank. Approximately 128 cubic yards of soil was removed and disposed of. Closure samples from the excavation did not show volatile organic compounds (VOCs) above laboratory detection limits. Very small amounts of total extractable hydrocarbons were detected but at levels far below risk-based screening levels (RBSLs).

The waste oil UST location was trenched but there was little evidence of impacted soil in the trench with the exception of the east side of the trench beneath the concrete walk next to the building. Soil samples collected showed total extractable hydrocarbons to be below RBSLs. VOCs were below laboratory detection limits in the samples collected.

Groundwater samples were collected from the three monitoring wells and two of the four piezometers on the property. The groundwater table was observed to be relatively flat with a slight gradient to the north (towards the site). The groundwater samples did not show detectable levels of either VOCs or extractable petroleum hydrocarbons. The dissolved metals results showed the presence of barium and chromium, but these metals were well below WQB-7 Standards.

Based on the information reviewed, it appears that the Longs Machinery facility does not represent an environmental concern to the site.

Montana Tractor – This facility is located hydraulically downgradient from the site and therefore, does not represent an environmental concern to the site.

Montana Registered UST Listings

The MDEQ Registered Underground Storage Tank (UST) database was searched for permitted USTs located on the site and within a ¼-mile radius. The site and four other facilities were identified on the UST list.

UST FACILITIES WITHIN SEARCH RADIUS				
Map No.	Facility Name/Location Identification Number	Distance & Direction from Site	Apparent Gradient from Site	Remarks
6	Ashley Creek Animal Clinic 3251 U.S. Highway 93 South 15-04431	~1/4 mile North	Downgradient	1 Non-active UST.
7	Fun Beverage Inc. 3455 U.S. Highway 93 South 15-11031	~1/4 mile South	Crossgradient	1 Non-active UST.
SITE	Kalispell Feed & Grain Supply 3450 U.S. Highway 93 South 15-08356	SITE	SITE	4 Non-active tanks. LUST facility (see above).
5	Solberg Trucking Inc. 3560 U.S. Highway 93 South 15-06211	Adjoining site on South	Upgradient	3 Non-active USTs. LUST facility (see above).
8	Ted J. Sokalowski 225 Snowline Lane 15-08335	~1/4 mile Northeast	Crossgradient	1 Non-active UST.

The non-active status of the USTs at facilities 6, 7 and 8 suggest that USTs were removed from the ground. Because these facilities are not on the LUST list (see above) it is assumed the tanks were removed without significant petroleum contamination. Therefore, due to their regulatory status and distance from the site, these facilities do not represent a potential environmental concern to the site. Facility 5 is also not a concern to the site due to remedial activities performed associated with a petroleum release (see LUST section above).

Four USTs were operated at the site for approximately 20 years, as shown in the table below. The USTs were all asphalt coated or bare steel with galvanized steel piping. One was removed from the ground in 1988 and the other three were removed in 1998. Site assessments were conducted during tank removal activities and three of the four USTs were found to have leaked while in service. Further details on the petroleum release at the site is presented above in the LUST section.

SUMMARY OF TANKS FORMERLY LOCATED AT SITE				
Tank No.	Installed	Substance	Capacity	Date Closed
1	5/8/1978	Diesel	18,000	12/7/1998
2	5/8/1978	Gasoline	12,000	12/7/1998
3	5/8/1978	Diesel	12,000	12/7/1998
4	5/8/1978	Diesel	20,000	4/1/1988

5.3.3 Other Sources

Tetra Tech interviewed Mr. Greg Murfitt with the Montana Department of Agriculture (MDA). Mr. Murfitt has been with the MDA for 26 years and heads the pesticide program. He remembers a complaint that MDA and MDEQ investigated regarding chemical barrels on the site and concern that they could corrode and get into Ashley Creek. He looked through his files and was unable to find anything. Further details from this interview are presented in *Section 7.0* of this report.

Tetra Tech contacted the MDEQ Hazardous Waste Section and learned that a file related to the pesticide complaint was available for review. A chronology of events and summary of this information is presented immediately below. Copies of relevant documents are contained in **Appendix D**.

In 1997, the Montana Department of Transportation (MDT) was considering purchase of the site for the Kalispell Bypass highway project. MDT was working with Norwest Bank on behalf of the owner because Kalispell Feed and Grain Supply (KFGS) was in bankruptcy at that time. Norwest Bank entered into an agreement with Olympus Environmental, Inc. to complete a Phase I Environmental Site Assessment (ESA) on the site as pre-purchase due diligence for MDT. The 1997 Phase I ESA completed by Olympus indicated the following:

- Most of the site appears to be covered with up to several feet of fill material. Elevated areas of the site were observed with fill consisting of concrete and steel.
- Portions of the site appear to have been used as dumping grounds for a variety of materials including scrap steel, discarded machinery, wood wastes, feed and seed, and chemical containers (drums and pails).
- Over 50 drums, of which at least 30 appeared to contain some liquids, and numerous 5 gallon pails were identified at the site. Most of the drums were not labeled and at least one was leaking an unknown substance. Most of the drums and containers were identified on the north portion of the site and around B-6 and B-7.

Observations of the site buildings and previous site occupants included the following:

- B-1 was the sales/office building used as a retail outlet for feed and seed supplies.
- B-3 was a fuel station used as a Pacific Pride card-lock station. There were four USTs that feed three pumps. The area around the pumps was gravel.
- B-4 was vacant in April 1997 but a tenant was moving in to open an automotive shop.
- B-5 was occupied by Ammy's Home Repair & Service. The building was not accessed at the time of the assessment.
- B-6 had been the shop used by KFGS as their repair and maintenance shop. In April 1997, the building was leased to Grey's Fiasco Automotive. Chemicals observed on the premises included carburetor cleaner.
- B-7 was a shop used for irrigation piping. Chemicals observed on the premises included lubricating oil and parts cleaner.
- The feed mill was in use at the time of the assessment. There was no indication of hazardous material usage or disposal in this area. A UST was located at the west end of the feed mill and reportedly contained molasses.
- The grain mill was in use at the time of the assessment. There was no indication of hazardous material usage but an employee stated that occasionally they used a pesticide on the grain if it was buggy.

- The fertilizer plant reportedly shut down in 1985. Nitrogen fertilizer operations in 1997 consisted of an off-loading station at the rail spur that fed two anhydrous ammonia tanks east of the old fertilizer plant.

The files reviewed indicate that Olympus also completed a Phase I ESA on the site in 1991; however, this report was not available.

On June 26, 1997, MDT filed a complaint with the MDEQ Enforcement Division based on the Phase I ESA completed by Olympus. The complaint stated, "The responsible party (KFGS) has history of dealing in pesticides and there are allegations of spills and improper labeling for drums of material housed at the property. There is heightened concern over the environmental aspects of this site because it is proximal to Ashley Creek which flooded this spring and may have washed contaminants during the event."

In August 1997, the MDEQ Permitting and Compliance Division and MDA conducted an inspection of the site. A summary of the inspection is presented below:

- B-4 was occupied by Dirty Deeds, an odd job enterprise which did home improvements, concrete work, and automobile mechanic work. The area from the driveway to the creek had been flooded from April through mid-June and the water in B-4 had been knee-deep. No soil staining or used oil containers were observed. In August 1997, B-4 had an earthen floor.
- B-5, occupied by Ammy's Home Repair, had been vacated due to the flooding. Two drums containing liquid were observed outside the facility and a black, oily stain was observed on the ground at the base of one of the drums.
- B-6, occupied by Danny Stevens Trucking, had been vacated due to the flooding. Southwest of B-6 were a number of unmarked drums and two open 5-gallon cans full of a black, oily liquid. An area of soil, 6' x 8' beneath these cans had a heavy, black, oily stain. Over 100 old pesticide containers were randomly piled in a 10' x 16' fenced area immediately north of B-6. The majority of the containers were 5-gallon Monsanto Far-Go and Roundup. All of the containers appeared to be empty and no odors were noted in the yard.
- B-7 was an irrigation shop operated by Clifford Swallow. An old car wash building was northwest of B-7. Several drums were observed outside the facility and heavy, black, oily stains were present on the soil beneath many of the drums.
- Between B-6 and B-7 an area of soil 6' x 8' was heavily stained with a black, oily substance.
- The numerous drums referenced in the Olympus report were verified. Drums which couldn't be located were assumed to have been washed away by the flood.
- There was no evidence of a mix/load area for the contract spray operation.

A November 26, 1997 letter from the MDEQ Enforcement Division to attorneys for KFGS itemized the regulatory issues associated with the site that were identified during the MDEQ and MDA inspection. The department identified cleanup options for the site, as follows:

- Used oil collection and storage
 - Containerize and label all used oil accumulated on the site
 - Any stained soil must be sampled and removed to either the Flathead Landfarm or County Landfill

- Solid and/or hazardous waste accumulation and disposal
 - Contents of the drums and any spillage on the ground must be characterized, either through knowledge or analytical samples. Appropriate cleanup of the drums and any contaminated soil to be dependant upon the nature of the documented materials.
 - Non-hazardous solid waste should be hauled to the Flathead County Landfill for appropriate disposal. Non-hazardous contaminated soil can be taken to the Flathead Landfarm upon acceptance. Any scrap metal or other metal waste can be taken to a recycler.
- Junk vehicles.
 - Must be removed from site
- Agricultural pesticide identification and management
 - All pesticide containers must be properly disposed of
 - Characterize by sampling and analysis a drum of unknown content suspected to be an herbicide. Once the material is characterized it must be disposed of.
 - Soil samples must be collected beneath the pesticide container storage yard

The MDEQ Permitting and Compliance Division made a follow-up inspection on May 13, 1998 to update the Enforcement Division's information regarding the site. Changes to the property since August 1997 included new construction (Powder Coating of Kalispell built B-5), relocated buildings (old car wash building moved to B-5), missing drums, moved vehicles, moved above-ground storage tanks, partially covered soil stains, missing debris pile and undisturbed drums/containers and stained soil.

John Martin, owner of KFGS, hired Corwin Environmental Consultants (Bill Corwin) to help cleanup the site. By July 13, 1998, the following cleanup activities had been performed at the site: pesticide containers were removed with the exception of a container of an unknown substance which was to be put with about 5 or 6 other containers for disposal as hazardous waste, used oil from various buckets and drums was consolidated and a petroleum recycler was contacted for pickup and disposal, and a scrap metal dealer was contacted to cut up and remove all scrap metal. When the major portion of the site was cleaned up of containers and debris, the site was to be mowed and then inspected for petroleum or other contamination. At that time, soils would be tested, including soils under the pesticide container storage area. All pesticide containers were triple rinsed. Rinsate was contained and was to be applied as a pesticide on the property.

A December 15, 1998 conversation between the MDEQ Enforcement Division and KFGS consultant, a visit by MDEQ to the site, and a follow-up letter provided a status report on cleanup at the site. Mr. Corwin advised MDEQ that all used oil had been consolidated into larger containers and then disposed through a used oil recycler, drums of animal fat were disposed through a dog food manufacturer, all empty drums were deheaded and still on site for ultimate disposal at the Flathead County landfill, the trailer half-full of granular herbicide was awaiting disposal, USTs had been removed but were still on site, and five drums were classified as hazardous waste by sampling (three drums of solvents, one drum of pentachlorophenol-contaminated water, and one partial drum of pesticide). The pesticide disposal program through the MDA was discussed as being an option for disposal of the remaining product on the site.

The MDEQ Enforcement Division activity report dated August 23, 1999 describes the conversation between consultant Bill Corwin and MDEQ regarding what analytical methods were appropriate for the soil samples collected from the pesticide storage area north of B-6.

Most of the cans were either Fargo or RoundUp, both determined through research to be low to very low “leachers”. Two analyses were selected for the samples; phenoxy containing pesticides (EPA Method 8110) and organochlorine pesticides (EPA Method 8081).

Soil sample results were received by MDEQ on October 7, 1999, as shown below.

SOIL SAMPLE RESULTS FROM HERBICIDE/PESTICIDE STORAGE AREA NORTH OF B-6				
Analyte	Analyte Result (ppb)	PRG commercial soil (ppb)	PRG residential soil (ppb)	SSL w/ DAF 10 (ppb)
Toxaphene	7,462	1,600	440	2,000
Dicamba	5.3	18,000,000	1,800,000	
2,4-D	55	7,700,000	690,000	

Reference: U.S. EPA, 2004

Results for toxaphene were more than four times the U.S. EPA’s Region 9 Preliminary Remediation Goals (PRGs) for commercial soil, almost 17 times the PRG for residential soil, and 3.7 times the Soil Screening Level (SSL). Concentrations of dicamba and 2,4-D were well below EPA PRGs.

A final activity report from the MDEQ Enforcement Division dated August 17, 2001 states, “I went by the KFGS site to see what it looked like. I saw four USTs set out in the field and noted that all the drums that had been scattered around the field were in one pile, near the center of the field. There is a white trailer parked near the USTs that is where the granular pesticide was stored. The site generally looks good.” The recommended action was to close the complaint and refer the pesticide issue to MDA. According to Greg Murfitt, MDA has no files on the site.

Tetra Tech contacted Mr. Bill Corwin and discussed cleanup activities at the site. Mr. Corwin indicated that no soil removal was performed, and that the only soil sampling conducted was of the pesticide storage area north of B-6. When asked whether he felt there were remaining environmental concerns at the site he said “yes”. In his opinion, areas of concern include:

- The pesticide storage area north of B-6,
- The area around B-7 where there had been an auto salvage area/repair shop with significant waste oil spillage, and
- The area northwest of B-6 where there had been leaking drums of pesticide.

Mr. Corwin made his project files available to MDEQ and a file review was conducted for information on the site. Mr. Corwin’s files contained several documents not reviewed in the MDEQ record review, as summarized below. Copies of relevant documents are contained in **Appendix D**.

- A work plan for site clean-up dated June 19, 1998.
- Waste profiling paperwork, laboratory results, and disposal documentation for drums and solid waste at the site from July 1998 through April, 1999.
- Documentation that pesticides at the site (four-30 gallon drums and seven-60 pound bags) were authorized for disposal through the MDA’s Pesticide Disposal Program.

Based on the regulatory history of the site revealed through review of MDEQ files, and through interviews conducted with persons familiar with the site, past waste handling activities at the site represent a recognized environmental condition.

6.0 SITE RECONNAISSANCE

The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying ASTM recognized environmental conditions in connection with the site to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles.

6.1 Site Observations

The site and adjoining properties were visually observed on May 18, 2007 by Tetra Tech Environmental Professional Daphne Digrindakis who was accompanied by Ms. Laura Alvey, of MDEQ, Mr. Mike Pence with Flathead County, and Mr. Ray Sanders, a long-time resident of the area with knowledge about the site. The purpose of the reconnaissance was to note visual or olfactory evidence of recognized environmental conditions. Additionally, reconnaissance of adjoining properties was performed to identify land use and associated potential recognized environmental conditions. **Figure 2** presents a plan view of the site and developments in close proximity. Site photographs are contained in **Appendix E**.

6.1.1 Site Overview and Current Use

The site is located approximately 3½ miles south of Kalispell, on the west side of U.S. Highway 93, immediately south of where the highway crosses Ashley Creek and a former railroad bed. The site is roughly triangular in shape and comprised of 15.25 acres. Ashley Creek forms the northwest boundary of the site and the former railroad bed borders the site on the northeast. The site is improved with approximately 10 commercial and industrial buildings, most of which are leased to small businesses.

The east portion of the site is occupied by buildings B-1, B-2 and B-8 which comprise the former grain and feed operation. Warehouse space is leased by H&H Express and Bob's Pickup and Delivery, two small scale freight handlers. Jim Palmer Signs occupies the former grain terminal building. Two grain elevators and the main storefront are currently not in use.

Immediately southwest of the former grain facility is B-3, a former gas station. This facility is currently leased to Above & Beyond Paint, a commercial painting business.

Northwest of the former grain facility is an old fertilizer plant that consists of a wood reactor building, six vertical tanks, a horizontal tank, and two old railroad tanker cars. West of the fertilizer plant is B-6 which houses Orvis Irrigation. West of B-6 is an storage area of irrigation pipe and equipment.

B-7 is situated in the central portion of the site and is occupied by Stable-Lift, a welding business that manufactures pick-up truck campers. A large-capacity tank is located south of B-7 and is reportedly one of the USTs that had been buried south of B-3. South of the tank is B-4, a shop leased by Hector Perez to salvage auto parts. An extensive collection of automotive parts including tires, batteries and fuel tanks were observed on the ground surface north B-4.

The furthest west improvement on the site is B-6 which is occupied by Powder Coating of Kalispell. A shop, kiln building and two sandblasting sheds are located in this complex. An extensive area north and west of the main building contains sandblasting waste.

Areas of the site not covered with buildings are vegetated with grass and weeds with areas along Ashley Creek supporting brush and shrub vegetation. The site is served by a domestic well and several septic systems. Underground utilities include natural gas, telephone and fiberoptics. Overhead electric borders the site on the east and south and crosses the north and west portions of the site.

6.1.2 Description of Specific Site Features

Topographic Observations

The east portion of the site is approximately 20 feet higher in grade than the remainder of the site and may be constructed on fill. A slope break exists north and west of B-8, otherwise the site is generally level. Surface water percolates into on-site soils and does not appear to runoff the site. Surface water from adjoining properties does not appear to run onto the site. It is possible that portions of the site are within the Ashley Creek floodplain.

Source of Drinking Water

Drinking water is provided to the site by a domestic well. The well is located north of B-8 beneath a manhole cover. According to the well log reviewed, the well was drilled in 1974 to a depth of 168 feet and yields 30 gallons per minute.

Sewage Disposal/Septic System

Sewage disposal at the site is provided by a number of septic systems. Septic permits on file with Flathead County indicate five septic systems at the site. Wynne Zelmer, the former site manager, indicated a sixth septic system exists at the site.

SUMMARY OF ON-SITE SEPTIC SYSTEMS			
Year	Size	Permit No.	Approximate Locations
12/5/1975	1-1,000 gallon septic tank	298	Located west of B-2
7/13/1976	2-900 gallon septic tanks 1-1,000 gallon septic tank	09111	North of B-1; East of B-3; and, North of B-6
7/29/1977	1-750 gallon septic tank	2795	East of B-5
Not known	Not known	Not known	North of B-4

There is no record of any violations with regard to the septic systems on the site. However, waste materials disposed of into septic systems would have the potential to cause environmental impact to soil and/or groundwater.

Hazardous Substances and Petroleum Products associated with Operations other than Storage Tanks

Hazardous substances and petroleum products associated with current operations were observed in all occupied buildings at the site, as summarized in the table below. Please note that quantities are approximate.

SUMMARY OF ON-SITE HAZARDOUS SUBSTANCES AND PETROLEUM PRODUCTS			
Building	Material Type	Quantity	Comments
B-1 Warehouse	Roundup herbicide Motor oil	3-boxes w/ gallon containers 1 55-gallon drum.	Properly stored Properly stored
B-3	Lacquer thinner Stain Paints	4 5-gallon containers 4 1-gallon containers 3 1-gallon containers	Properly stored Properly stored Properly stored
B-4	Various lubricants Waste oil Automotive batteries	Small quantities 1 55-gallon drum 4 batteries	Properly stored Stored inside – some spillage Stored directly on ground
B-5	Waste oil Waste oil Gasoline Diesel	4 55-gallon drums Open container 5-gallon container 100 gallon AST	Stored outside on pallet Outside - leaking onto concrete Stored outside on concrete Outside along west side of building
B-6	Motor oil Motor oil Gasoline Hydraulic oil/waste oil	10 1-gallon containers 12 ½-gallon containers 2 5-gallon containers 3 5-gallon containers	Properly stored Properly stored Properly stored On west exterior of building
B-7	Various lubricants & paints Compressed gas	Small quantities 3 cylinders	Properly stored Properly stored
B-8	Paints Lacquer thinner	Small quantities Small quantities	Properly stored Properly stored

In general, the hazardous materials and/or petroleum products observed at the site were in quantities of five-gallons or less and in original manufacturer's containers. With the exception of waste oil storage outside B-5 and automotive batteries outside B-4, all materials were properly stored. Details on drums and tanks are presented in the sections below. Minor spillage observed on concrete surfaces and inside the various site buildings represents a *de minimis* condition.

Storage Tanks and Associated Equipment

Tanks observed on the site included six vertical and three horizontal large-capacity aboveground storage tanks (AST) associated with the fertilizer plant. Two of the vertical tanks were old railroad tankers labeled anhydrous ammonia. The other tanks are assumed to have contained liquid fertilizer mixes but may have contained water. The tanks were in fair condition with the exception of one of the vertical tanks which was corroded through. There was evidence of spillage associated with the tanks and no secondary containment was observed.

A large capacity tank was situated on the ground surface between B-4 and B-7. According to the B-5/B-7 tenant, this was one of the tanks buried south of the B-3 service station.

Other tanks observed at the site consisted of several small quantity propane tanks and a 100-gallon frame-mounted diesel AST on the west side of B-5. The diesel AST was situated on a wood platform with a drip bucket beneath the nozzle but no secondary containment.

Odors

No odors suggesting a release or recognized environmental condition were apparent at the site.

Drums and Other Containers

The majority of drums and containers observed on the property are described under the *Hazardous Substance and Petroleum Products Associated with Operations* section above. Empty drums or drums with unknown contents are detailed below.

- B-3 – Three drums were observed on the east exterior of the building. Two of the drums contained some liquid and one was full. The drums were not labeled and their contents are unknown. The B-3 tenant indicated the drums were there when he took over the lease. Based on smell, he thought they contained diesel fuel.
- One drum was observed on the north side of the reactor building at the fertilizer plant. This drum likely contains water as it appeared to receive drainage off the roof.
- Northwest of B-6, in the undeveloped portion of the site near Ashley Creek was a drum disposal area. The drums were generally rusty, empty and unlabeled. However, two labeled drums indicated they had contained caustic soda beans and sodium hydroxide anhydrous.

Interior and Exterior Surficial Staining or Stressed Vegetation

At the time of the site visit, soil staining was observed in several locations at the site.

- Beneath one of the drums on the east side of B-3. The extent of the soil impacts is not known.
- On the gravel driveway around B-4. Stained soil appeared to be associated with recent vehicle leakage and represents a *de minimis* condition.
- On the gravel driveway around B-6. Stained soil appeared to be associated with recent spillage of waste oil or equipment leakage and represents a *de minimis* condition.

Stressed vegetation was apparent in the drum salvage area northwest of B-6. The grass and weeds around the drums appeared dead and/or stressed compared to the lush vegetation further distant from the drums. The stressed vegetation in the drum salvage area represents a recognized environmental condition.

PCBs

A total of 14 pole-mounted transformers were observed along the boundaries of the site including nine along the south property line, four along U.S. Highway 93 on the east side of the site, and one along the old railroad grade north of the fertilizer plant. On-site transformers generally appeared to be in good condition with no evidence of leakage. Transformers south of B-5 were rusty but did not appear to have leaked. Transformers south of B-2 contained blue “No PCB” labels. Labeling was not observed on the other on-site transformers. It is not known whether fluorescent light ballasts or hydraulic equipment on-site contain PCBs.

Drains and Sumps

All buildings at the site except B-7 have septic systems that receive discharge from drains. Most of the buildings only have sanitary drains associated with restrooms. Floor drains and/ or sumps at the site included the following:

- A floor drain in the B-6 shop reportedly discharges to a drum which is buried north of the building. The sump drum appeared to be a buried 30-gallon drum that was partially full with a solid substance. The sump drum at B-6 may represent a recognized environmental condition.
- Three floor drains were located in the B-5 shop. According to the tenant Mont Peters, the drains were filled with concrete as per an EPA order so that industrial waste could not be discharged to the septic system. EPA has no record of an inspection at this facility.

Pits, Ponds or Lagoons

No pits, pond or lagoons were observed on the site. According to Mr. Sanders, several mill ponds were located on the northwest portion site during the 1960s when a lumber mill operated on the premises. Mr. Sanders was responsible for reclaiming the mill ponds in the mid-1970s. He indicated that native material was used to backfill the ponds and that waste materials were not incorporated in the fill other than some wood waste which has long since decomposed. Testing may be needed to determine if the wood waste has actually decomposed. It is unknown whether there are methane issues associated with the wood waste.

Solid Waste Disposal

Solid waste is collected in dumpsters at various locations on the property. Solid waste noted at the site included:

- North of B-1 are the bases of five grain storage bins. The bases contained waste grain that appeared to be in a state of decay. No environmental concerns were apparent.
- North of B-3 is a pile of a white waste. The previous tenant at B-3 reportedly performed soda-blasting and the unidentified waste may be associated with this process.
- North of B-5 is a pile of white sandblasting waste. According to tenant Mont Peters, the sandblasting waste may contain lead-based paint but since it is diluted with sand it doesn't constitute hazardous waste. Mr. Peters has previously disposed of the sandblasting waste at the Flathead County landfill where tests run on the material confirmed it wasn't hazardous waste.
- North of B-8 is a miscellaneous storage area including scrap equipment and debris. No environmental concerns were apparent.

Wastewater Discharges

Wastewater currently generated at the site is discharged to the septic systems. Wastewater contaminated with hazardous materials or petroleum products that may have been discharged through floor drains to the septic systems would have the potential to cause environmental impact to soil and/or groundwater at the site.

Wells

A well provides domestic water to the site. The well is located north of B-8 beneath a manhole cover. According to the well log reviewed, the well was drilled in 1974 to a depth of 168 feet and yields 30 gallons per minute.

6.2 Adjoining Property Observations

Adjoining properties were visually examined from public access right-of-ways to make a cursory assessment of the current land use and its potential for recognized environmental conditions that may have impact on the site. Reconnaissance of adjoining properties was performed by viewing land use from legal boundaries or by walking upon the adjoining properties that were legally accessible. Adjoining development to the site is as follows:

North: Ashley Creek and vacant pasture land.

East: U.S. Highway 93, then (from north to south) Pierce Manufacturing Company, Inc. and a two-business commercial building housing Montana Industrial Stickers Custom Enterprises Inc. and Factory Coatings.

South: Western States – The CAT Rental Store is located south of the site. The east portion of this facility consists of a shop and office and the west portion is used as a proving area. The Western States facility has documented environmental issues associated with LUSTs (listed under Solberg Trucking and Long Machinery), dry wells, and a wash pad holding tank. Based on the Remedial Action Report reviewed (Land and Water, 2002), this facility does not appear to represent a recognized environmental concern to the site. See the *Montana LUST Listings* under Section 5.3.2 of this report for further details. South of Western States is Oh's Body Shop.

West: Ashley Creek, then vacant pasture land

Based on observations made from the public right-of-way, recognized environmental conditions with the potential to impact the site were not apparent at the businesses adjoining the site.

7.0 INTERVIEWS

Tetra Tech personnel interviewed various people knowledgeable about the site or conditions in the site vicinity. A summary of our conversations is presented below. Records of communication are contained in **Appendix F**.

Mr. Michael Pence – Flathead County

Mr. Pence indicated that Flathead County recently obtained ownership of the site through a tax deed. Taxes on the site had gone unpaid for over 15 years but the prior owner had continued collecting rent from the tenants. The County had not filed for a tax deed sooner because there were concerns over the environmental condition of the site. Flathead County approached the MDEQ for assistance in evaluating the site.

Mr. Ray Sanders – long-time resident of the area familiar with the site

Mr. Sanders was familiar with the site when it operated as a lumber mill. He confirmed that there had been a teepee burner on the site for sawdust disposal. He indicated that there had been mill ponds on the site to float logs. He was hired in the mid-1970s to fill the ponds and had done so with material native to the site. He indicated that no debris other than possibly some wood waste was mixed with the material used to backfill the ponds. The only evidence of the lumber operation on the site is the foundation of the “skagit pole” used to yard up and drag the logs in. Mr. Sanders stated that no wood treating occurred on the site.

Mr. Sanders was present during the site reconnaissance and offered comments on potential environmental conditions associated with past operations and the specific locations where activities took place. He indicated that Lee Tower built Kalispell Feed and Grain and operated a full service dealership selling farm chemicals, irrigation, feed, grain, seed and fertilizer. He didn't think there had been seed treated on the premises but suggested that Cliff Swallow, a former operator of the grain businesses be contacted for more information. He said that both liquid and dry fertilizer was dispensed from the site and there had been secondary containment around the fertilizer tanks.

Contract weed spraying was part of the business that took place on the site and mixing and loading of chemicals took place north of B-3. He indicated the “worst” area of the site was north of B-6 where empty containers of herbicide were stored. He stated that between 100 and 500 containers of herbicides and pesticides were stacked in the fenced storage yard and he doubted all containers had been triple rinsed and that leakage had occurred.

He indicated that Lee Tower also started Wrangler Oil and operated a card-lock gas station and bulk petroleum dealership at building B-3. He said that 55-gallon drums of motor oil and lubricants were stored and dispensed from B-3 but that automotive maintenance was not performed. He was aware that underground tanks had been removed from the site.

Mr. Cliff Swallow – Swallow Grain

Mr. Swallow operated Swallow Grain on the site from 1985 to 2000. He leased the grain business from Lee Tower who built both Kalispell Feed and Grain and Wrangler Oil. The two towers on the site consist of a grain elevator and a feed mill. The grain elevator had originally been located in the center of Kalispell and Mr. Tower moved it to the site in 1976. The feed mill had an attached cyclone to cool the rolled grain. A scale, grain dryer, and five grain bins have been removed from the site. He stated that most of the grain was brought in by truck since rail shipments were unreliable. Mr. Swallow indicated that he never treated seed on the premises

and was fairly certain that seed was not treated by Kalispell Feed and Grain. Mr. Swallow also leased the fertilizer tanks and dealt in anhydrous and liquid fertilizer. He did custom spraying for only one year and mixed herbicides/pesticides near the fertilizer plant. He was aware that Kalispell Feed and Grain did a lot of contract spraying and that the area north of B-6 was used to store empty chemical cans. He stated that both Swallow Grain and Kalispell Feed and Grain were both good, clean businesses. He has heard rumors about environmental problems at the site but doesn't know what they could be. He recalled that high water in Ashley Creek in the early 1990's flooded the lower shop and fertilizer plant area.

Mr. Wynne Zelmer – Former Site Manager

Mr. Zelmer was the caretaker at the site from 2000 through 2006. He was hired by the Martin family who reportedly purchased the site out of bankruptcy in 2000. When Mr. Zelmer took over the site only three buildings were occupied; B-4 had Orvis Irrigation, B-5 had Powder Coating of Kalispell, and an awning business was in one of the other buildings. There were not many drums or containers on the site when he took over property management. He did dispose of some containers of motor oil left in B-6 and had contacted a waste oil processor to haul off the drums east of B-3. He thought the septic tanks at the site were located as follows: north of B-1, north of B-3, north of B-4, north of B-5, north of B-6, and west of B-8. It was his understanding that the upright tanks at the fertilizer plant were used to store water. Mr. Zelmer works at the Flathead County landfill and has hazardous waste training. Based on his understanding of environmental issues, there was nothing at the site that concerned him. He was aware of rumors that the site was contaminated but he never saw evidence of any problems.

Mr. Mark Lockwood – Tenant of B-1 Warehouse

Mr. Lockwood has operated Bob's Pickup and Delivery on the site for approximately one year. The business deals in all types of freight. The boxes of Roundup observed in the warehouse are reportedly freight. A drum of motor oil in the warehouse is used to service their fleet.

Cary with H&H Express – Tenant of B-2 Warehouse

H&H Express has occupied the B-2 warehouse for about 1½ years. The space is also shared with a clothing laundry service. H&H Express hauls freight which sometimes includes batteries, propane, auto parts, but nothing in large quantities. The previous tenant was in the same line of business.

Mr. Jeff Palmer – Tenant of B-3

Mr. Palmer has leased the B-3 space for about one year and operates Above and Beyond Painting. He indicated that Western Products occupied the space prior to him and that they did soda blasting and are responsible for the pile of white waste north of the B-3 shop. Mr. Palmer stated that he uses oil-based stains and paint and that waste goes to the landfill. When asked about the three drums on the east side of the B-3 shop, Mr. Palmer stated that they were there when he moved in and he doesn't know what they contain. Based on smell, he thought they might contain diesel fuel. Mr. Palmer was not aware of any environmental problems at the site.

Ms. Hector Perez – Tenant of B-4

Hector Perez has occupied B-4 for about two years. He buys and sells auto parts which are stored on the site. He conducts a small amount of automotive maintenance and generates waste oil which is collected in a drum. The waste oil is recycled by one of his friends and used for heat recovery.

Mr. Mont Peters – Tenant of B-5 and B-7

Mr. Peters has leased B-5 for the past nine years for the Powder Coating of Kalispell business. The process involves sandblasting metal which is then coated in polyester and baked in a kiln to achieve a coated finish. Sandblasting occurs north of the shop and the mound of white material on-site is sandblasting waste. Mr. Peters indicated that he recently took 15 semi-truck loads of the sand material to the Flathead County landfill who tested it and determined it was not hazardous waste. Mr. Peters indicated that the U.S. EPA had inspected his facility on several occasions and had decommissioned several of the floor drains in the building by filling them with concrete so that wastewater could not be discharged to the septic system (see interview with *Tilman McAdams of U.S. EPA*, below).

When Mr. Peters took over the lease at B-5 there were numerous drums on the premises which he requested be removed. Prior to his occupancy, B-5 was leased by a tile company. He recalled being told about a flood about 15 years ago where the shop received several feet of water and drums were “floating around” and had to be retrieved from Ashley Creek. He said the tank located between B-7 and B-4 was one of the former USTs that operated on the site. Until recently there had been a second tank situated at that location but Valcon had hauled it away. He recalled a spill in the area between B-5 and the former UST where a semi-truck with an auger leaked fertilizer onto the ground.

Mr. Peters also leases B-7 and has operated Stable-Lift Manufacturing on the premises for six years. This business manufactures campers for pickup trucks which mainly involves welding. He was not aware of who occupied this space before him.

Mr. Orvis – Tenant of B-6

Mr. Orvis has occupied B-6 to operate Orvis Irrigation for about two years. Prior to this time he leased B-4 for his business. He was not aware of who occupied B-4 or B-6 before him but did indicate that there were drums and containers of unknown waste left behind in B-6 when he moved in. Management took care of the waste at this request. When asked about the floor drain in the shop, Mr. Orvis indicated that it discharges to a buried drum north of the building but he hasn’t used the system. He is not aware of environmental problems associated with the site.

Mr. Jim Palmer – Tenant of B-8

Mr. Palmer has operated Jim Palmer Signs at the site for about 1½ years. He uses paints, stains, lacquer thinner and does not generate waste that requires special disposal. He indicated that B-8 used to be the scale house for the grain terminal. The scale equipment had been removed, the floor vault filled with sand and covered with concrete. A service entrance to the grain chute is located under a metal plate in the shop floor. The chute was where the grain was dropped and hoisted by auger to the leg turret then dispensed to the various grain bins. Mr. Palmer was not aware of who occupied his leased space prior to him but that it was empty when he moved in. He is not aware of environmental problems with the site or his leased space.

Mr. Greg Murfitt – Montana Department of Agriculture, Pesticide Program

Mr. Murfitt has been dealing with agricultural chemicals at industrial facilities (grain elevators, post and pole plants, etc.) in Montana for 26 years and is familiar with the site. He said that Kalispell Feed and Grain was a dealership that sold insecticides and herbicides and had a commercial spraying business. He was quite certain that seed was treated on the premises and recalls mounds of fertilizer on the ground being augured into customers trucks. He remembers a complaint that MDA and MDEQ investigated regarding chemical barrels on the site and concern that they could corrode and get into Ashley Creek. He looked through the files and was unable to find anything about the site.

Mr. Tilman McAdams – U.S. Environmental Protection Agency

In response to the statement from Mr. Mont Peters (the owner of Powder Coating of Kalispell) that EPA had required the floor drains in B-5 to be cemented closed, EPA was contacted for further information. Mr. McAdams at EPA manages the Underground Injection Control Program and conducted a file review for addresses associated with the site (3450 and 3454 Highway 93 South). There was no information in EPA files for either site address, or associated with the name Powder Coating of Kalispell. Mr. McAdams thought that Mr. Peters may have been confused and that the request to close the floor drains actually had come from MDEQ.

Mr. Bill Corwin – Corwin Environmental Consultants

Corwin Environmental Consultants was hired by Mr. John Martin, former owner of Kalispell Feed and Grain Supply, to assist with cleanup of the site. When questioned about cleanup activities, Mr. Corwin indicated that no soil removal was performed, and that the only soil sampling conducted was of the pesticide storage area north of B-6. When asked whether he felt there were remaining environmental concerns at the site he said “yes”. In his opinion, areas of concern include: the pesticide storage area north of B-6, the area around B-7 where there had been an auto salvage area/repair shop with significant waste oil spillage, and the area northwest of B-6 where there had been leaking drums of pesticide.

8.0 CONCLUSIONS

On behalf of MDEQ and Flathead County, Tetra Tech performed a Preliminary Assessment and All Appropriate Inquiry of the 15.25 acre tract of land described at Tracts 6BA and 5CCA in Sections 32 and 33, T28N R21W, located at 3450 U.S. Highway 93 South, in Kalispell, Montana. The PA was conducted in general accordance with ASTM Standard E 1527-05 and conforms to U.S. EPA's Standards and Practices for All Appropriate Inquiries - Final Rule published November 1, 2005. Any exceptions to or deletions from this practice are presented in the appropriate sections of this report and in Section 2.0. A summary of the findings is presented below.

Historical Recognized Environmental Conditions as defined by ASTM Practice E 1527-05, exist at those sites that have been remediated. Although the site has undergone some level of cleanup, it does not appear that remediation of the identified environmental concerns was completed. Therefore, no historical recognized environmental conditions were identified.

De Minimis Conditions as defined by ASTM Practice E 1527-05, generally do not present a material risk of harm to public health or the environment and would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. *De minimis* conditions identified at the site include:

- Stained soil associated with recent equipment leakage/spillage at B-4 and B-6.

Recognized Environmental Conditions as defined by ASTM Practice E 1527-05, are the presence or likely presence of any hazardous substances of petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release into the ground, groundwater or surface water of the property. Recognized environmental conditions identified during this investigation are summarized below.

- The petroleum release associated with the B-3 gas station has not been resolved. Petroleum-impacted soil removed from the tank basin was returned to the excavation. Drums on the east side of the facility have impacted near-surface soils.
- KFGS operated a contract spray business for many years. Herbicides and pesticides were reportedly mixed north of B-3 and at the fertilizer plant. A stockpile of empty chemical containers was located north of B-6 in a fenced storage area. The herbicides dicamba and 2,4-D were detected in the soil samples at concentrations below EPA Preliminary Remediation Goals for commercial property; however, the pesticide toxaphene was measured at four times the PRGs. There is no record that impacted soil was removed from the herbicide/pesticide storage area north of B-6 as part of the cleanup at the site.
- Stressed vegetation associated with the drum disposal area northwest of B-6 represents a recognized environmental condition. Debris disposal in this area of the site was apparent in aerial photographs and documented in a Phase I ESA completed at the site in 1997. It is likely that leaking pesticide drums may also have caused soil and/or groundwater impacts in this area of the site.

- Seed treating may have occurred around the grain elevator at the site. Although this cannot be confirmed, it was a common practice at many grain elevators in the region. If improperly handled, seed treating chemicals have the potential to impact soil and/or groundwater.
- Although wood treatment reportedly did not occur on the site, one of the hazardous wastes identified at the site was a barrel containing water contaminated with pentachlorophenol.
- Fertilizer activities at the site may have caused environmental impact. It is reported that fertilizer was dispensed to customer's trucks from piles located directly on the ground surface. Although vegetation is lush in the vicinity of the former fertilizer plant, it is not known whether impacts to groundwater exist from excess nitrates. A fertilizer spill northeast of B-5 is also reported.
- Poor waste oil practices are documented around B-6 and B-7 in MDEQ inspection reports. There is also reference to soil stains being "covered up". Although current conditions do not suggest significant petroleum impacts, these areas of the site were identified for soil cleanup by MDEQ. There is no documentation to suggest that the cleanup occurred.
- Waste may have been discharged to floor drains and impacted near-surface soils at the site. The B-5 drains discharged to a septic system before being cemented closed. The B-6 floor drain discharged to a sump/drum disposal system. All six of the septic systems at the site have the potential to have had improper waste disposed through them.
- Piles of soda-blasting and/or sandblasting waste on the site may have the potential to cause environmental impact.

9.0 OPINION AND RECOMMENDATIONS

It is therefore Tetra Tech's opinion that further investigation of the site is warranted at this time. Our recommendations are summarized below:

- Remedial activities associated with the LUST at the site should be completed.
- A systematic sampling program should be developed to test soils across the site for herbicides, pesticides and petroleum hydrocarbons. Lead should also be sampled for, especially in areas where sandblasting occurred.
- Groundwater should be tested for herbicides, pesticides, nitrates, and petroleum products. Groundwater sampling should include the onsite water well, and shallow groundwater should also be evaluated.
- On-site wastes should be managed to ensure further environmental impacts do not occur.
 - A waste oil recycler should evaluate the contents of the drums on the east side of B-3 and handle proper disposal of these substances.
 - The white substance north of B-3 should be evaluated for proper disposal.
 - The sand blasting waste associated with the business on B-5 should be contained so that it does not spread to other areas of the site.
 - Tighter control on waste oil handling practices should be implemented to avoid future spills.
- Wood waste that has been used as fill material may need to be evaluated for decomposition and possible methane issues. These issues are particularly important for areas where buildings might currently exist or be built in the future.
- It should be noted that the majority of the site is subject to flooding and accumulation of wastes should be avoided. High water in and around the buildings could transport waste and impact other areas of the site or Ashley Creek. Flathead County should check with their environmental permitting staff to determine if wastes stored in the flood plain are allowed, or if the necessary permits for such wastes are in place.

10.0 ENVIRONMENTAL PROFESSIONAL STATEMENT

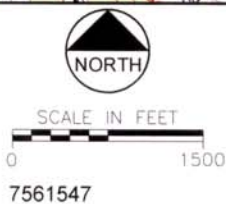
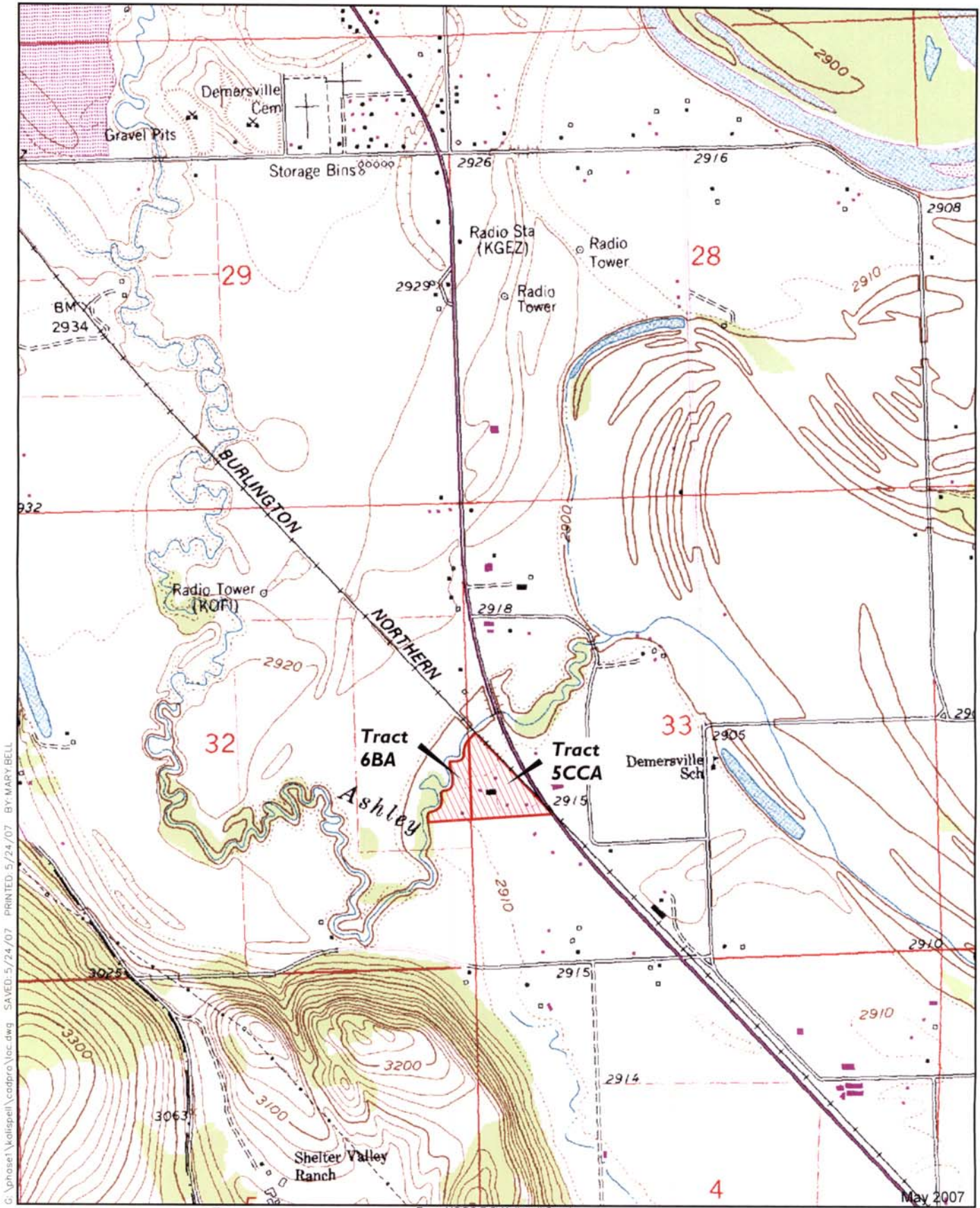
I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

I have developed and performed the all appropriate inquiry in conformance with the standards and practices set forth in 40 CFR Part 312.

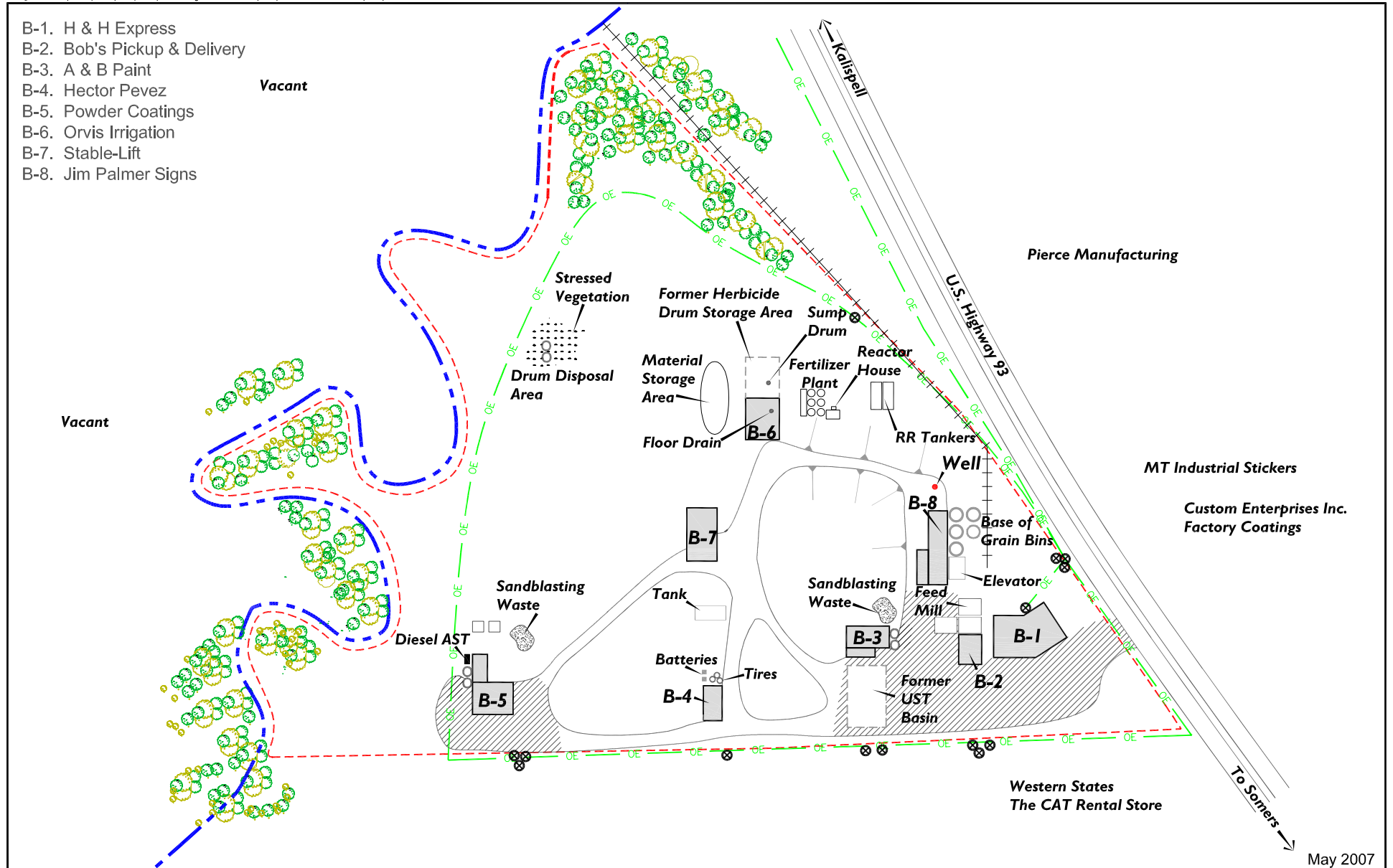


Daphne Digrindakis
Environmental Professional

FIGURES



Location Map
 3450 U.S. Highway 93 South
 Kalispell, Montana
 FIGURE 1

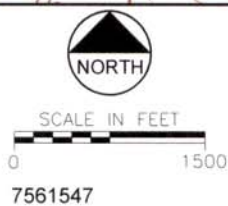
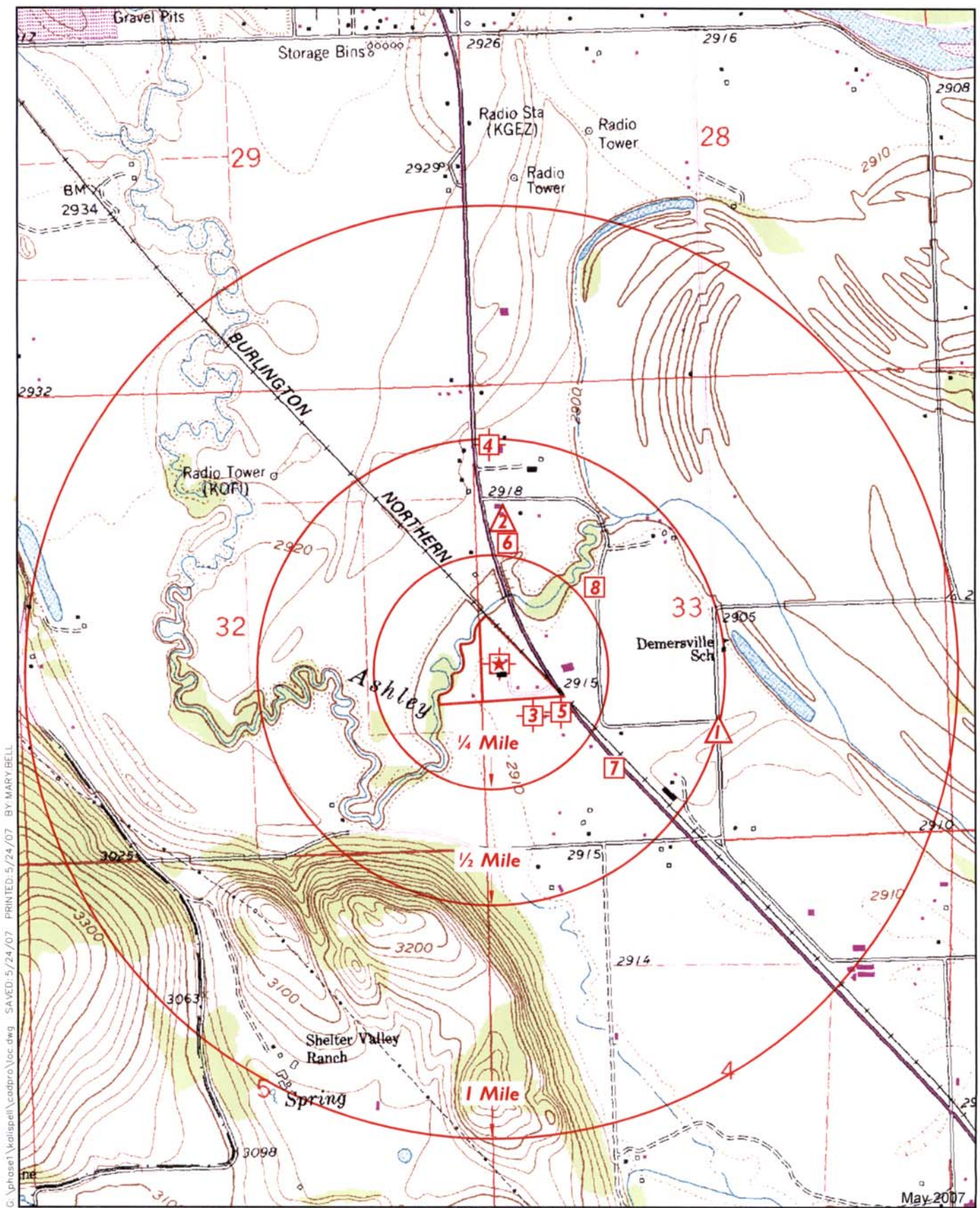


May 2007



NORTH
NOT TO SCALE
7561547

Site Plan
3450 U.S. Highway 93 South
Kalispell, Montana
FIGURE 2



- ★ Site
- ⑤ LUST
- ⑦ UST
- △ RCRA

Regulated Facilities
 3450 U.S. Highway 93 South
 Kalispell, Montana
 FIGURE 3

APPENDIX A

SCOPE OF WORK
&
USER INFORMATION

TASK ORDER NO. 2

This Task Order is entered into between the Montana Department of Environmental Quality (DEQ) and Tetra Tech Incorporated (Contractor), pursuant to DEQ Contract No. 407036. The purpose of this Task Order is to prepare and conduct a Phase I Environmental Site Assessment (ESA) for the property located at 3450 U.S. Highway 93 South in Kalispell, Montana (the Site).

BACKGROUND

Flathead County came into ownership of property located at 3450 U.S. Highway 93 South, 3.4 miles south of the city of Kalispell, Montana. Ownership of the property transferred to Flathead County because the previous owner defaulted on taxes. Prior to Flathead County ownership, the property was used for the sale and storage of fertilizer, grain, and other agricultural products for an unknown period of time. Various buildings on the property have been leased out for other, unspecified activities. Flathead County would like to sell the property for redevelopment. Prior to selling the property, Flathead County would like to have a Phase I Environmental Assessment conducted for the property to assess the potential for environmental contamination and the need for additional assessment.

TASK DESCRIPTION

Under the provisions of the Task Order, Contractor agrees to perform the following tasks as directed by DEQ:

TASK 1**Phase I ESA**

The purpose of the Phase I ESA is to identify any recognized environmental conditions in connection with the property and to determine if any environmental conditions need to be further evaluated in a Phase II Assessment.

Subtasks

1. Conduct a Phase I ESA in accordance with the American Standards for Testing Materials (ASTM) Standard Practice Guidance Designation E 1527 – 05 and EPA's Standards and Practices for All Appropriate Inquiries (AAI). The ASTM Standard Practice Guidance (E 1527 – 05) and the EPA AAI guidance will constitute the work plan for the Phase I ESA. If Contractor needs copies of these documents, Laura Alvey of DEQ will provide them.
2. In addition to the Standard Environmental Record Search requirements in the ASTM guidance, Contractor will search the Montana Water Quality Act Site Ranking list and any Montana RCRA lists for sites within a half-mile distance of the Site.

IN WITNESS WHEREOF, Contractor and DEQ have executed this Task Order No. 2 on the dates set out below.

STATE OF MONTANA DEPARTMENT
OF ENVIRONMENTAL QUALITY

04/27/07
DATE

BY: Vicki J. Woodrow
VICKI J. WOODROW
Contracts Officer
Financial Services
Metcalf Building
1520 E. Sixth Avenue, P.O. Box 200901
Helena, MT 59620-0901

Approved for legal content by:

Laura D. Vachowski
Laura D. Vachowski
DEQ Legal Counsel

04-27-07
Date

TETRA TECH, INC.

5/7/07
DATE

BY: William H. Bucher
WILLIAM H. BUCHER, P.E.
Project Engineer
PO Box 4699
Helena, Montana 59604

FEDERAL ID NO. 95-4148514



TETRA TECH

April 23, 2007

Ms. Laura Alvey
Montana Department of Environmental Quality
Remediation Division, Groundwater Remediation Program
P.O. Box 200901
Helena, MT 59620-0901

RE: Revised Proposal for Phase I Environmental Site Assessment
3450 U.S. Highway 93 South
Kalispell, Montana

Dear Ms. Alvey:

Tetra Tech, Inc. (Tetra Tech) is pleased to submit this proposal to conduct a Phase I Environmental Site Assessment (ESA) at the above referenced property. This proposal outlines our proposed scope of work, the estimated cost, and time schedule for completion of the project.

Tetra Tech's approach to performing environmental assessments is consistent with generally accepted and established practices (Standard E1527-05) as promulgated by the American Society of Testing and Materials (ASTM) to comply with requirements of Standards and Practices for All Appropriate Inquiries; Final Rule, as published by the U.S. Environmental Protection Agency on November 1, 2005. Phase I involves review of the public record and reconnaissance of the site to identify evidence that hazardous waste or hazardous materials may exist on the site. Phase II is comprised of collecting environmental samples for laboratory analysis to confirm or deny the presence of soil and/or groundwater contamination on the site. The details of any proposed Phase II work would be presented in our Phase I report; such work would only be performed with your prior concurrence and approval.

The All Appropriate Inquires Final Rule requires that the user of the Phase I ESA provide specific information on their knowledge of the site. Upon acceptance of this proposal, we will provide you with a questionnaire to complete for the property that will comply with requirements in the new ASTM standard.

Scope of Work

The following scope of work, associated costs, and schedule address Phase I ESA work only. For this Phase I ESA, Tetra Tech will:

1. Review the history of the site and surrounding area to identify possible previous activities that might have introduced hazardous materials or petroleum products to the property using the following resources: Sanborn Fire Insurance Maps, Polk City Directories, County appraisal records, ownership records, a historical sequence of aerial photographs, and, interviews with past owners/occupants.
2. Review environmental information regarding the project site and surrounding area within search radii established by ASTM, using the following resources:

- U.S. Environmental Protection Agency (EPA) databases, including National Priorities List (NPL); Comprehensive Environmental Response, Compensation, and Liability Index System (CERCLIS) and CERCLIS No Further Remedial Action Planned (NFRAP); Resource Conservation and Recovery Act (RCRA) facilities under Corrective Action (CORRACTS); RCRA Non-CORRACTS for Treatment, Storage, and Disposal (TSD) Facilities; RCRA Database for Generator and Transporter Facilities; and, Emergency Response Notification System (ERNS).
 - Montana Department of Environmental Quality (MDEQ) databases including Comprehensive Environmental Clean-up Responsibility Act (CECRA - State Superfund), Voluntary Cleanup and Redevelopment Act (VCRA) Registry; Brownfields Registry; Water Quality Act (WQA) Database; Solid Waste Registration (Landfills), Underground Storage Tanks (UST) and Leaking Underground Storage Tanks (LUST).
 - Interview appropriate local, state, and/or federal officials to determine if there is knowledge of hazardous materials or other contaminants on the site or within the immediate vicinity.
3. Interview the site owner for information on the history of the property and current conditions.
 4. The physical setting of the site will be determined through review of published reports and maps depicting topography, soil, and geologic information to predict contaminant movement in the environment.
 5. Inspect the site for visual evidence of contamination. These include subsidence, stressed vegetation, surface anomalies, unusual soil discoloration, and evidence of chemical usage, spills, and underground storage tanks. The inspection will include an evaluation of surface drainage patterns on or immediately adjacent to the site to note possible areas of concern, transformers, and on-site chemical use. Photographs of the site will be taken to document pertinent features, such as those listed above.
 6. After completing our review of the public record and site reconnaissance, Tetra Tech will complete a written report documenting our evaluation. The Phase I report will reflect our evaluation of the site and will include a description of the evaluation methods, discussion of results, conclusions, and recommendations. One hard copy of the draft version of the report will be provided for your review. Upon receipt of comments, Tetra Tech will produce a final report. Three hard copies and an electronic copy of the final report will be provided.

Estimated Cost and Schedule for Completion

Tetra Tech will complete the Phase I ESA, as defined by the scope of work presented above, on a time and material basis, as presented on the DEQ Cost or Price Summary Form attached. If additional work is required, such that this estimate would be exceeded, we will contact you to discuss our recommendations and receive your authorization before proceeding.

We anticipate submitting the draft Phase I report by May 4, 2007 and the final report by May 18, 2007 provided we receive a Task Order from DEQ by April 16th. Please note that our ability to complete the review of available public information within the anticipated time frame is dependent upon the availability of certain resources, including records and government personnel. If we have difficulties in this regard, we will inform you at the earliest possible time. We will obtain your concurrence on extending the

evaluation time frame, or terminate that aspect of our evaluation and report the findings without the benefit of that information.

Conditions of Engagement

Tetra Tech's report will be prepared on behalf of the Client. Tetra Tech acknowledges and agrees that the report will become a matter of public record, as described in DEQ –Tetra Tech Contract 407036, Section C. Release of Data [40 CFR § 35.6550(b)(2)(ii)(A)] and Section D. Ownership of Work/Patents and Copyrights [40 CFR § 35.6595(b)(3), 40 CFR § 31.34].

Limitations

It should be understood that the findings and conclusions of the Phase I ESA will not be scientific certainties, but rather opinions based on our professional judgment concerning the significance of the data gathered during the course of the site assessment. Tetra Tech will not be able to represent that the site contains no hazardous waste or materials, petroleum products, or other latent conditions beyond that detected or observed by Tetra Tech personnel during the site assessment.

Tetra Tech would sincerely appreciate the opportunity to work with you on this project. If you have any questions regarding our proposed scope of work, please contact us at 406-443-5210.

Sincerely,

A handwritten signature in cursive script, reading "Daphne Digrindakis", is written over a light gray dotted rectangular background.

Daphne Digrindakis
Senior Environmental Scientist
ESA Program Manager



TETRA TECH

ASTM 1527-05 requires that the user of an ESA provide certain information for incorporation into the ESA report. Therefore, we are requesting that Flathead County answer the following questions:

1. Is Flathead County, as the user of this ESA, aware of any environmental cleanup liens against the site that are filed or recorded under federal, tribal, state or local law?
NO
2. Is Flathead County aware of any activity use limitations, such as engineering controls, land use restrictions or institutional controls that are in place on the Property and/or have been filed or recorded in a registry under federal, state or local law?
NO
3. Does Flathead County, as the user of this ESA, have any specialized knowledge or experience related to the site or nearby properties?
NO
4. Is Flathead County involved in the same line of business as the current or former occupants of the Property or on adjoining properties so that they would have no knowledge of the chemicals and processes used by current or former occupants?
NO
5. Is Flathead County, as the user of this ESA, aware of any commonly known or reasonably ascertainable information about the site that would help the environmental professional to identify conditions indicative of releases or threatened releases?
YES, and that information has been provided.
6. Is Flathead County aware of specific chemicals that are or may have been present on the Property, spills or chemical releases on the Property, or any cleanups that may have taken place on the Property?
YES, and that information has been provided.
7. Is it Flathead County's opinion, as the user of this ESA, that the lease price being paid for the proposed new site reasonably reflects the fair market value of the property?
NO
8. Is Flathead County, as the user of this ESA, aware of any obvious indicators that point to the presence or likely presence of contamination in the areas subject to their development?
NO
9. Why is Flathead County requesting the preparation of this Phase I Environmental Site Assessment?
This is tax sale property and Flathead County is the current owner. We want to properly assess and address any environmental issues.

APPENDIX B

SITE LOCATION INFORMATION

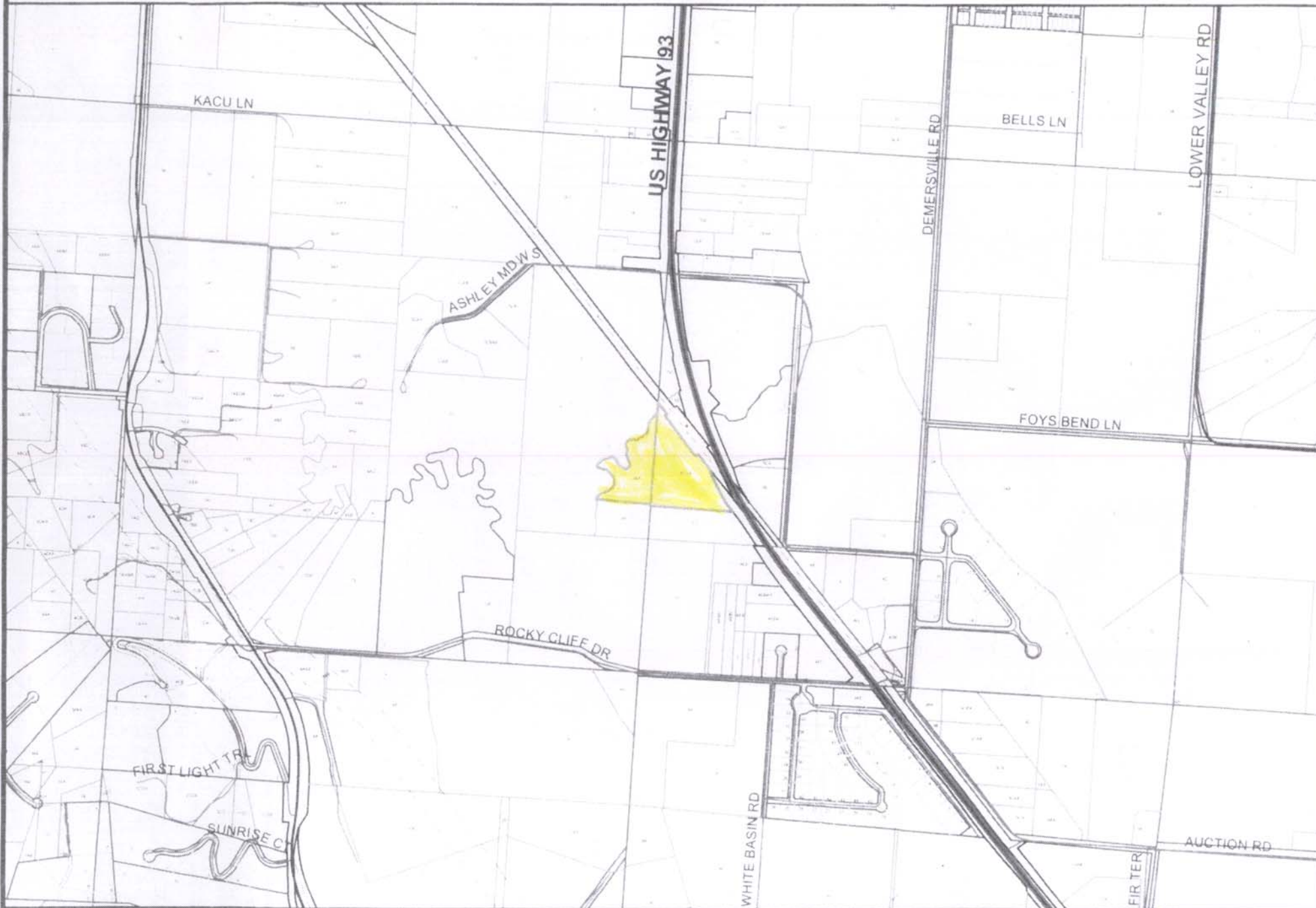
Legal Description of Site

A tract of land situated in the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section 32, and the northwest quarter of the southwest quarter and the southwest quarter of the northwest quarter of Section 33, Township 28 north, Range 21 west, P.M.M., Flathead County, Montana, particularly described as follows:

Beginning at the southwest corner of the NW 1/4, SW 1/4, of Section 33, Township 28 north, Range 21 west, P.M.M., Flathead County, Montana; thence south 89 degrees 58 minutes west and along the southerly boundary line of the NE 1/4, SE 1/4 of Section 32, a distance of 570.00 feet, more or less, to the center line of Ashley Creek; thence following along said center line of Ashley Creek to a point on the northerly boundary line of the NE 1/4, SE 1/4 of Section 32; thence continuing along said center line of Ashley Creek to its intersection with the westerly right-of-way of the Great Northern Railroad; thence south 41 degrees 55 minutes east and along said westerly right-of-way a distance of 148.22 feet to a point where the Great Northern right-of-way changes from 50 feet to 75 feet; thence south 48 degrees 5 minutes west, continuing along said right-of-way a distance of 25 feet to a point; thence south 41 degrees 55 minutes east, continuing along said right-of-way 500.00 feet to a point; thence north 48 degrees 5 minutes east following along same right-of-way a distance of 25.00 feet to a point; thence south 41 degrees 55 minutes east, continuing along same right-of-way a distance of 210.00 feet to a point of intersection with the westerly right-of-way of U.S. Highway No. 93; thence continuing along said Highway right-of-way and being a one degree curve on an arc distance of 893.33 feet to a point on the southerly boundary line of the NW 1/4, SW 1/4 of Section 33; thence south 89 degrees 30 minutes west and along said southerly boundary line of NW 1/4 SW 1/4 of Section 33 a distance of 1111.50 feet to the place of beginning, and containing 26.0 acres of land, more or less,

EXCEPTING therefrom a tract of land situated in the northeast quarter of the southeast (NE 1/4, SE 1/4) quarter of Section 32 and the northwest quarter of the southwest quarter (NW 1/4, SW 1/4) of Section 33 of Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

0427960



PROJECT	CUSTOM MAP
DATE PLOTTED	03/22/2007
FILE PATH	X:\Projects\Flathead County\ATTN\0427960
SCALE	1" = 15,000'

FLATHEAD COUNTY GIS DEPARTMENT

Legend

EMAIL: GIS_INFORM@flatheadcounty.mt.us
URL: HTTP://GIS.FLATHEADCOUNTY.MT.US

800 S MAIN ST
KALISPELL MT 59901

PH: 406-758-5540
FAX: 406-758-1840



THIS MAP WAS CREATED BY THE GIS DEPARTMENT OF FLATHEAD COUNTY, MONTANA. IT IS THE PROPERTY OF FLATHEAD COUNTY AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE GIS DEPARTMENT OF FLATHEAD COUNTY, MONTANA.

0427960



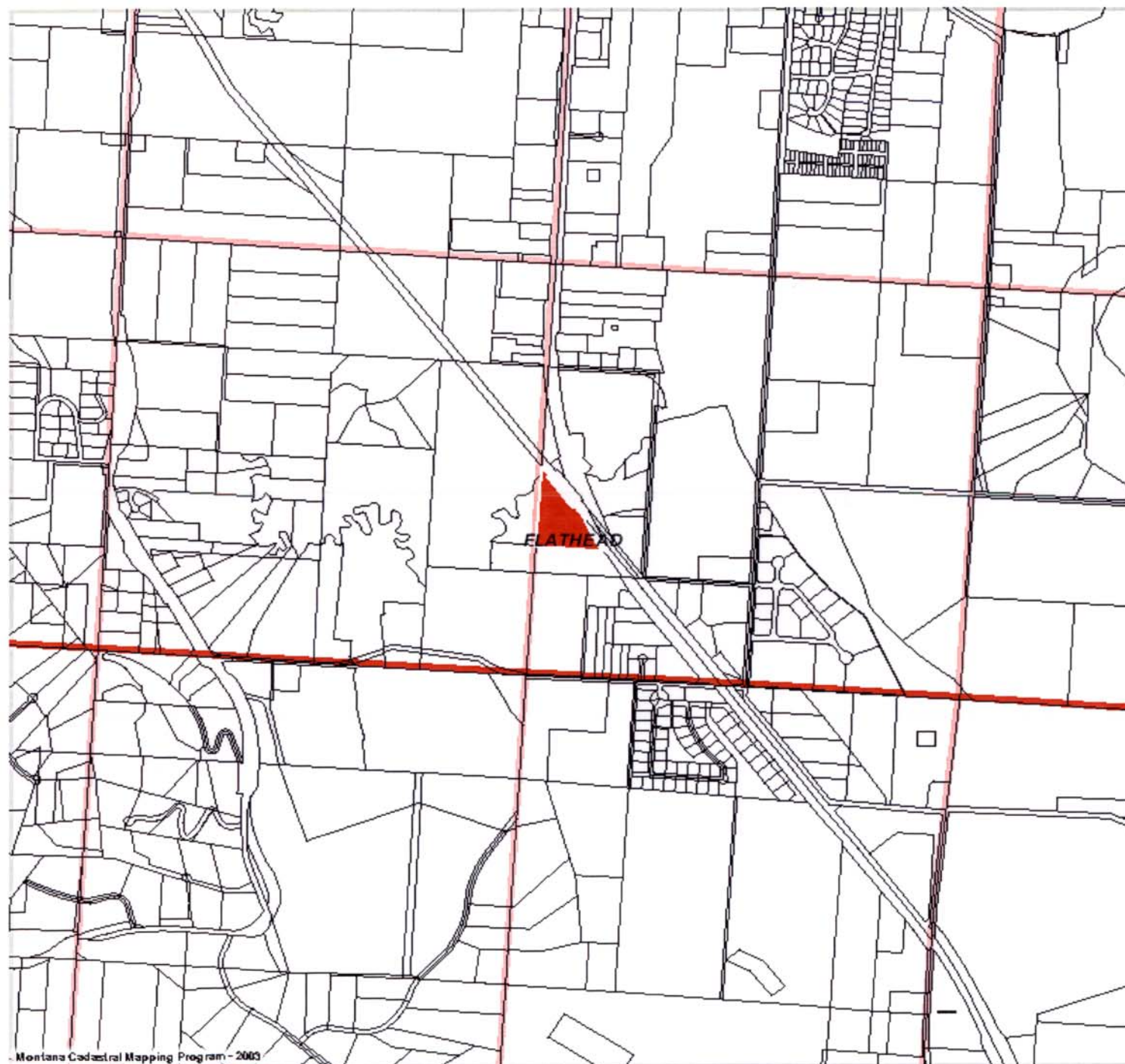
PROJECT	CUSTOM MAP
DATE PLOTTED	03/22/2007
FILE PATH	X:\Project\Flathead County\GIS\ATTN\0427960
SCALE	1:5,249

FLATHEAD COUNTY GIS DEPARTMENT
 800 S MAIN ST
 KALISPELL MT 59901
 PH: 406-758-5540
 FAX: 406-758-5840

Legend

THE MAP IS CREATED ON THE BASIS OF THE BEST AVAILABLE DATA. THE USER ASSUMES ALL RESPONSIBILITY FOR THE ACCURACY OF THE DATA. THE MAP IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS CREATED.

Montana Cadastral Mapping Project



T28N R21W Sec. 33

INFORMATION UPDATED May 1, 2007**General Parcel Information definitions**

GEOCODE	07396633301010000
OWNCODE	99999
OWNER CLASSIFICATION	Undetermined
COUNTY ASSESSOR CODE	0000427960
SECTION	33
TOWNSHIP	T28NR21W
LEGAL DESCRIPTION	TR 5CCA IN NW4SW4 & SW4NW4
PROPERTY ADDRESS	3450 HWY 93 S 59901
ADDITION-SUBDIVISION	
LEVY DISTRICT	070327
COUNTY LEVY DISTRICT	29
LEVY DISTRICT NAME	SOMERS/FLATHEAD HS
TOTAL FINAL LAND VALUE	\$188,650.00
TOTAL FINAL BUILDING VALUE	\$0.00 <u>Explanation</u>
2003 FULL REAPPRAISAL VALUE	\$188,650.00
2006 TAXABLE MARKET VALUE	\$149,368.00
DEED 1: BOOK, PAGE, DATE (mmddyy)	,,
OWNER NAME 1	KALISPELL FEED & GRAIN SUPPLY
TAXPAYER	AD% FLATHEAD COUNTY
MAILING ADDRESS	KALISPELL, MT 59901-5435

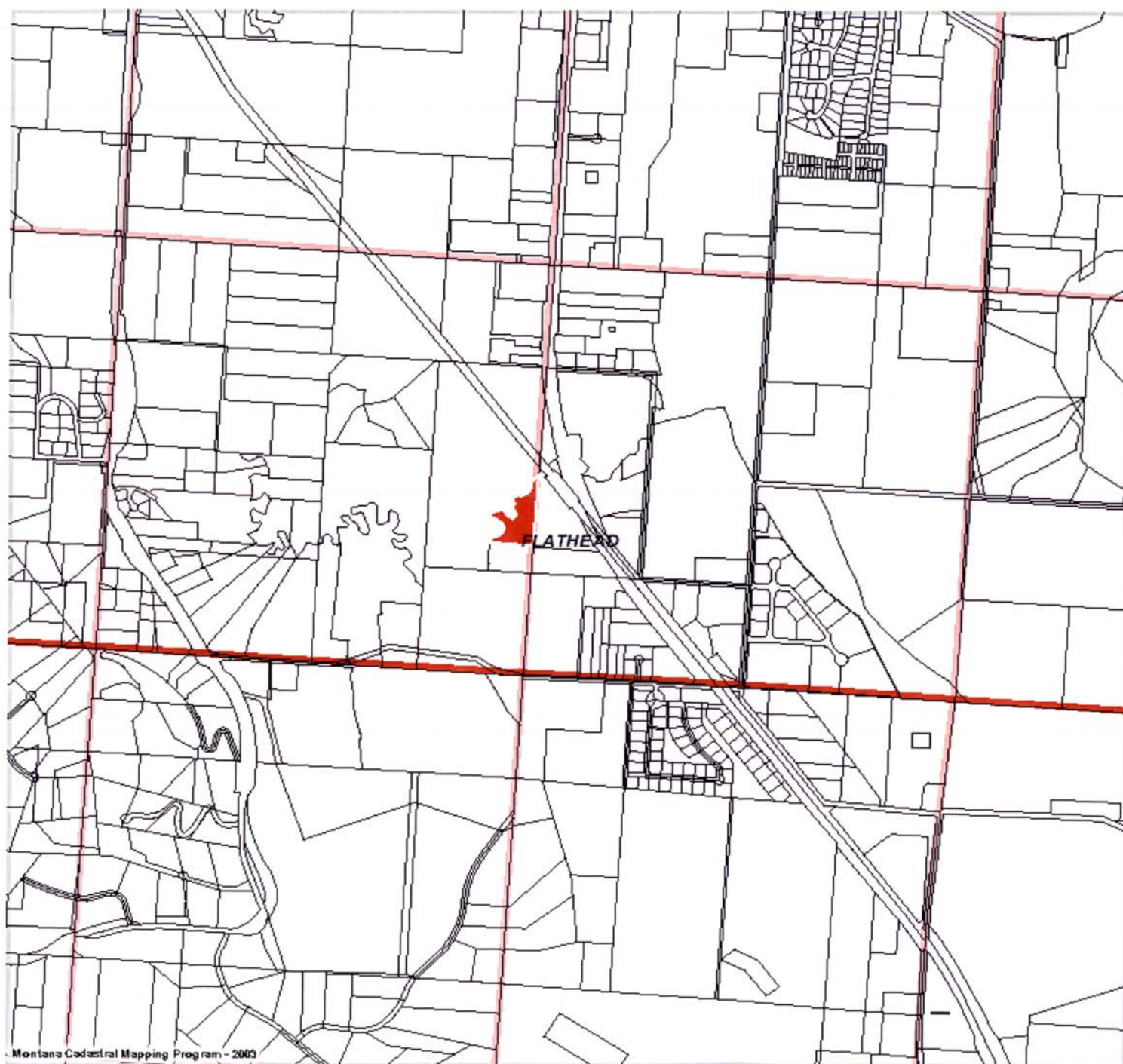
SITE INFORMATION definitions

Characteristic	CAMA Code, (Description)
GEOCODE	07396633301010000
NEIGHBORHOOD	125C
NEIGHBORHOOD TREND	2, (stable)
RESIDENTIAL INDICATOR	commercial
ACCESS	2, (semi-improved road) 0, (landlocked/none)
FRONTING	1, (major strip or CBD)
LOCATION	0, (rural land)
TOPOGRAPHY	1, (level) 7, (well)
UTILITIES	8, (septic) 0, (none)

ACREAGE TYPE CLASSIFICATION & VALUATION definitions**IRRIGATION
INFORMATION**

Property Type	Agricultural Type	Land Classification	Acres	Grade & Description	Rotation	Water Class (Cost/Acre)	Type	Assessed Value
exempt property	residual	exempt commercial land	9.620		-	-	other	\$188,650.00
TOTALS			9.620					\$188,650.00

Montana Cadastral Mapping Project



728N R21W Sec 32

INFORMATION UPDATED May 1, 2007**General Parcel Information definitions**

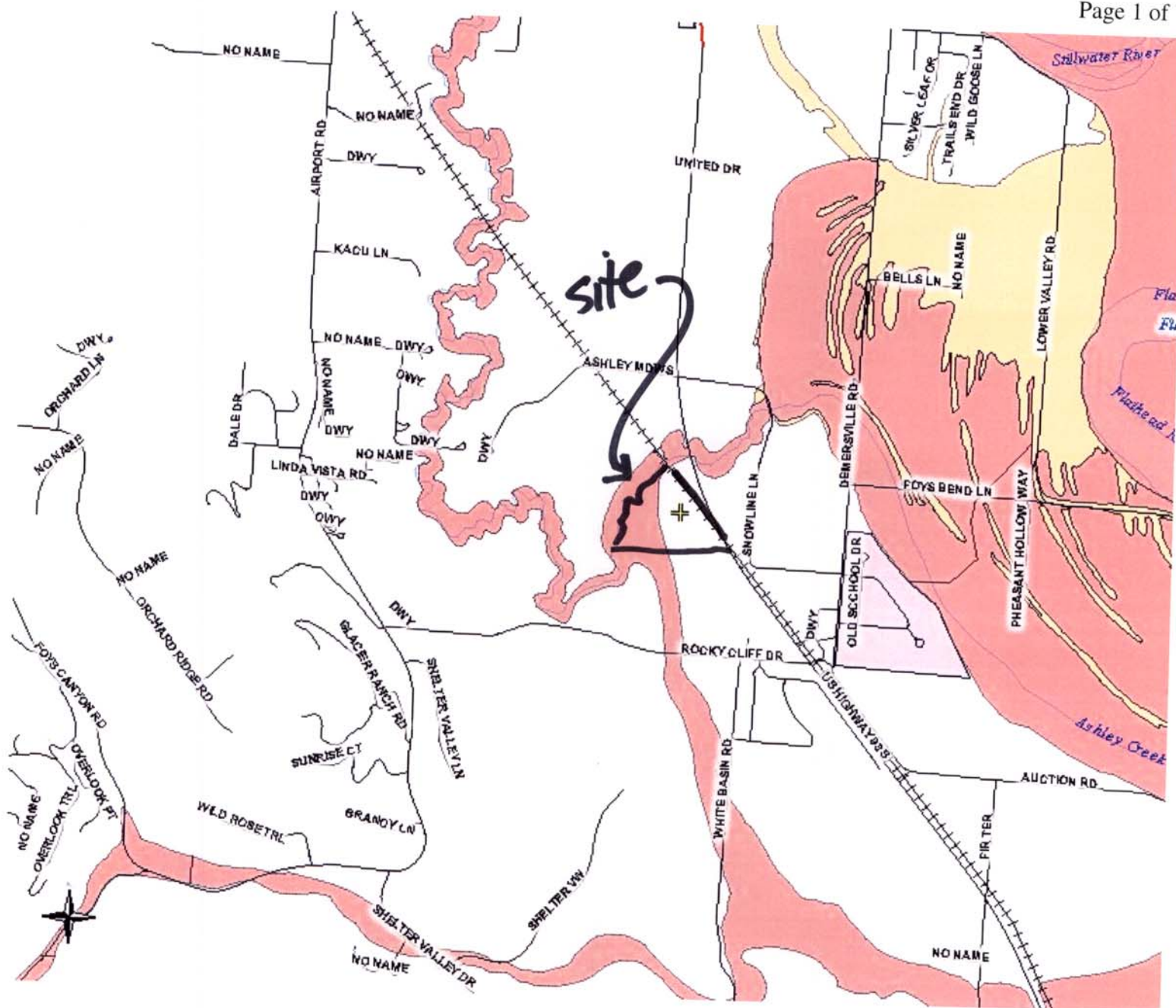
GEOCODE	07396632101100000
OWNCODE	99999
OWNER CLASSIFICATION	Undetermined
COUNTY ASSESSOR CODE	0000427960
SECTION	32
TOWNSHIP	T28NR21W
LEGAL DESCRIPTION	TR 6BA IN NE4SE4
PROPERTY ADDRESS	3450 HWY 93 S 59901
ADDITION-SUBDIVISION	
LEVY DISTRICT	070327
COUNTY LEVY DISTRICT	29
LEVY DISTRICT NAME	SOMERS/FLATHEAD HS
TOTAL FINAL LAND VALUE	\$388,320.00
TOTAL FINAL BUILDING VALUE	\$746,500.00
2003 FULL REAPPRAISAL VALUE	\$1,134,820.00
2006 TAXABLE MARKET VALUE	\$916,459.00
DEED 1: BOOK, PAGE, DATE (mmddyy)	, ,
OWNER NAME 1	KALISPELL FEED & GRAIN SUPPLY
TAXPAYER	AD% FLATHEAD COUNTY
MAILING ADDRESS	KALISPELL, MT 59901-5435

SITE INFORMATION definitions

Characteristic	CAMA Code, (Description)
GEOCODE	07396632101100000
NEIGHBORHOOD	125C
NEIGHBORHOOD TREND	2, (stable)
RESIDENTIAL INDICATOR	commercial
ACCESS	1, (paved road) 0, (landlocked/none)
FRONTING	1, (major strip or CBD)
LOCATION	0, (rural land)
TOPOGRAPHY	1, (level) 1, (all public) - ?
UTILITIES	0, (none) 0, (none)

ACREAGE TYPE CLASSIFICATION & VALUATION definitions**IRRIGATION
INFORMATION**

Property Type	Agricultural Type	Land Classification	Acres	Grade & Description	Rotation	Water Class (Cost/Acre)	Type	Assessed Value
exempt property	primary site	exempt commercial land	5.630		-	-	other	\$388,320.00
TOTALS			5.630					\$388,320.00



Pink = 100 year floodplain
 Source: Flathead County GIS

APPENDIX C
HISTORICAL DOCUMENTATION

SUMMARY OF DEED REVIEW
TRACT 6BA – SECTION 32, T28N R21 W
TRACT 5CCA – SECTION 33, T28N R21W
FLATHEAD COUNTY, MONTANA

DATE	BOOK-PAGE	DOCUMENT	GRANTOR	GRANTEE
1/2/2007	200700215 430	Tax Deed	Flathead County	Flathead County
3/3/1976	595-792	Warranty Deed	T.W. and Mary Margaret Little, N.M. and Mary Boyd & O.B. and Nancy Calvin	Kalispell Feed & Grain Supply
10/24/1974	581-339	Warranty Deed	T.W. and Mary Margaret Little, N.M. and Mary Boyd & O.B. and Nancy Calvin	Howard E. Long Company, Inc.
5/9/1969	507-32	Bargain & Sale Deed	Boise Cascade	T.W. and Mary Margaret Little, N.M. and Mary Boyd & O.B. and Nancy Calvin
8/16/1960	434-947	Deed	Ray V. and Mabel I. Duffy	Monarch Lumber Company
4/27/1955	372-307	Deed	Frank L. Duffy	Ray V. and Mabel I. Duffy
12/15/1949	309-117	Deed	Lloyd Mahlum	Frank L. Duffy
12/26/1946	277-601	Deed	Eugene A. McCabe	Lloyd Mahlum
6/16/1908	-	Deed	Mary J. Quan	Eugene A. McCabe
6/16/1908	-	Deed	John F. Quan Joseph M. Quan	Mary J. Quan
2/9/1907	-	Deed	John Quan	Mary J. Quan John F. Quan Joseph M. Quan
1/10/1901	-	Deed		John Quan

WARRANTY DEED

For Value Received T. W. Little & Mary Margaret Little, husband and wife; N. M. Boyd and Mary Boyd, husband and wife, and O. E. Calvin and Nancy Calvin, husband and wife, all of P. O. Box 915, Kalispell, Montana 59901

the grantor s, do hereby grant, bargain, sell and convey unto
Kalispell Feed & Grain Supply, Inc., a Montana
corporation, of P. O. Box 1075, Kalispell, Montana 59901

the grantee, the following described premises, in Flathead County, Montana,
to-wit:

A tract of land situate in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32, and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) AND the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, particularly described as follows:
Beginning at the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 28 North, Range 21 West, B.M.M., Flathead County, Montana; thence South 89°58' West and along the Southerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, a distance of 570.00 feet, more or less, to the center line of Ashley Creek; thence following along said center line of Ashley Creek to a point on the Northerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence continuing along the center line of Ashley Creek to a point on the section line between Sections 32 and 33; thence continuing along said center line of Ashley Creek to its intersection with the Westerly right-of-way of the Great Northern Railroad; thence South 41°55' East and along said Westerly right-of-way a distance of 148.22 feet to a point where the Great Northern right-of-way changes from 50 feet to 75 feet; thence South 48°05' West, continuing along said right-of-way a distance of 25.00 feet to a point; thence South 41°55' East, continuing along said right-of-way 300.00 feet to a point; thence North 48°05' East following along same right-of-way a distance of 25.00 feet to a point; thence South 41°55' East, continuing along same right-of-way a distance of 210.00 feet to a point of intersection with the Westerly right-of-way of U. S. Highway No. 93; thence continuing along said Highway right-of-way and being on a one degree curve an arc distance of 893.33 feet to a point on the Southerly boundary line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33; thence South 89°30' West and along said Southerly boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 a distance of 1111.50 feet to the place of beginning, and containing 26.0 acres of land, more or less,

EXCEPTING THEREFROM a tract of land situate in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32, and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 33 of Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, particularly described as follows:

Commencing at the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 and the true point of beginning of the tract of land being described; thence South 89°58' West and along the Southerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, a distance of 570.0 feet, more or less, to the center of Ashley Creek; thence in a Northerly direction and along the center boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence North 89°58' East a distance of 445.0 feet to a point on the Easterly boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence North 89°30' East and parallel to the Southerly boundary line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, a distance of 821.0 feet to a point on the Westerly right-of-way limits of U. S. No. 93; thence in a Southeasterly direction and along the Westerly boundary line of said U. S. No. 93, a distance of 439.7 feet to a point on the Southerly boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33; thence South 89°30' West and along the Southerly boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1111.50 feet to the point of beginning, and containing approximately 10.80 acres of land, more or less TOGETHER with appurtenances.

WARRANTY DEED

For Value Received N. M. Boyd and Mary Boyd, husband and wife, T. W. Little and Mary Margaret Little, husband and wife, and O. B. Calvin and Nancy Calvin, husband and wife, all of Kalispell, Montana, the grantors, do hereby grant, bargain, sell and convey unto Howard E. Long Co., Inc., a Montana corporation, of Box 1597, Missoula, Montana,

the grantee, the following described premises, in Flathead County, Montana,

to-wit: A tract, piece or parcel of land situate, lying and being partially in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty two (32) and the Northwest Quarter of the Southwest Quarter of Section Thirty three (33) of Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, and more particularly described as follows, to-wit: Commencing at the southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 and the true point of beginning of the tract of land being described; thence South 89° 58' West, and along the southerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, 570.0 feet, more or less, to the center of ASHLEY CREEK; thence in a Northerly direction and along the center of Ashley Creek to a point which is 330.0 feet North of the southerly boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence North 89° 58' East, 445.0 feet to a point on the easterly boundary line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence North 89° 30' East, and parallel to the southerly boundary line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 821.0 feet to a point on the westerly Right-of-Way limits of U.S. No. 93; thence in a southeasterly direction and along the westerly boundary line of said U.S. No. 93, 439.7 feet to a point on the southerly boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33; thence South 89° 30' West, and along the southerly boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 1111.50 feet to the point of beginning and containing approximately 10.80 acres of land, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors ~~and~~ and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 24th, 1974.

N. M. Boyd
N. M. Boyd
Mary Boyd
Mary Boyd
T. W. Little
T. W. Little

Mary Margaret Little
Mary Margaret Little
O. B. Calvin
O. B. Calvin
Nancy Calvin
Nancy Calvin

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COPIED	2
COMPALED	2

STATE OF MONTANA, COUNTY OF Flathead
On this 24th day of October, 1974, before me, a notary public in and for said State, personally appeared N. M. Boyd and Mary Boyd, husband and wife; T. W. Little and Mary Margaret Little, husband and wife; O. B. Calvin and Nancy Calvin, husband and wife, known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same.

Residing at Kalispell, Montana
Comm. Expires 1/31/77

STATE OF MONTANA, COUNTY OF Flathead
I hereby certify that this instrument was filed for record at the request of

at 6 minutes past 11 o'clock a.m.,
this 1st day of May, 1975, in my office, and duly recorded in Book 581
of Deeds at page 339

E. Thel L. Smith
Ex-Officio Recorder

David L. Hendman
Deputy.
Fees \$30.00
Mail to: Satsopoulos & Mac Donald

INSTRUMENT NO. 4386

DEED

FOR VALUE RECEIVED, BOISE CASCADE CORPORATION, successors in interest to Monarch Lumber Company,
A corporation duly organized and existing under the laws of the State of Delaware,
grantor, does hereby Grant, Bargain, Sell and Convey unto T. W. Little, N. M. Boyd
grantee, the following described real estate, to wit: and O. B. Calvin

A tract, piece or parcel of land situate, lying and being in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-two (32), and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-three (33), Township Twenty-eight (28) North, Range Twenty-one (21) West, P.M.M., Flathead County, Montana and more particularly described as follows to wit:

Beginning at the SW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 28 N., R 21 W., P.M.M., Flathead County, Montana; thence S 89° 58' W., and along the southerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, 570.00 feet more or less to the center line of Ashley Creek; thence following along said center line of Ashley creek to a point on the Northerly boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; thence continuing along the center line of Ashley creek to a point on the section line between Sections 32 and Section 33; thence continuing along said center line of Ashley Creek to its intersection with the Westerly R/W of the Great Northern Railroad; thence S 41° 55' E., and along said westerly R/W, 148.22 feet to a point where the Great Northern R/W changes from 50 feet to 75 feet; thence S 48° 05' W., continuing along said R/W 25.00 feet to a point; thence S 41° 55' E., continuing along said R/W, 500.00 feet to a point; thence N 48° 05' E., following along same R/W, 25.00 feet to a point; thence S 41° 55' E., continuing along same R/W, 210.00 feet to a point of intersection with the westerly R/W of U. S. Hiway No. 93; thence continuing along said Hiway R/W and being on a 1 degree Curve, an arc distance of 893.33 feet to a point on the Southerly boundary line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33; thence S 89° 30' W., and along said southerly boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, 1111.50 feet to the place of beginning and containing 26.0 acres of land more or less.

A tract, piece or parcel of land situate, lying and being in the Northwest Quarter of the Southwest (NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-three (33) Township Twenty-eight (28) North, Range Twenty-one (21) West, P.M.M., Flathead County, Montana and more particularly described as follows to wit:

Commencing at the West one-quarter corner of Section 33, T 28 N., R 21 W., P.M.M., Flathead County, Montana; Thence North, a distance of 79.08 feet to a point; thence East, a distance 106.13 feet to the true point of beginning of the tract of land being described, also being a point on the easterly R/W of the Great Northern Railroad and the Center of Ashley Creek; thence N 55° 15' E., and along the center of Ashley Creek, 170.65 feet to a point of intersection with the westerly R/W of U. S. Hiway No. 93 and the center of Ashley Creek; thence S 14° 39' E., and following along said Hiway R/W, 315.00 feet to a point of intersection with the easterly R/W of the Great Northern Railroad; thence N 41° 55' W., and along said easterly R/W of the Great Northern Railroad, 198.57 feet to a point; thence S 48° 05' W., continuing along same R/W, 25.00 feet to a point; thence N 41° 55' W. and continuing along same Railroad R/W, 103.58 feet to the place of beginning and containing 0.55 acres of land more or less.

Subject to public roads and rights of way.

Subject to all easements and restrictions of record, current taxes and assessments.

WARRANTY DEED

THIS INDENTURE, Made this 10th day of August, 1956, between RAY V. DUFFY and MABEL I. DUFFY, of Kalispell, Montana, the parties of the first part; and MONARCH LUMBER COMPANY, a Delaware corporation of Great Falls, Montana, the party of the second part.

WITNESSETH, That the said parties of the first, for and in consideration of the sum of One Dollar and other valuable consideration, to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said party of the second part, and to its successors and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Flathead and State of Montana, and particularly described as follows, to-wit:

A tract of land situated in the Northwest Quarter of the Southwest Quarter and Southwest Quarter of the Northwest Quarter of Section 33; and in the Southeast Quarter of the Northeast Quarter and Northeast Quarter of the Southeast Quarter of Section 32, Township 28 North, Range 21 West, M.P.M., more particularly described as follows:

Commencing at a point where the Easterly boundary of the railroad right of way (conveyed to the St. Paul, Minneapolis & Manitoba Railway Company by deed recorded in Book 35 of Deeds, at page 573) intersects the East line of the Northwest Quarter of the Southwest Quarter of said Section 33, and which point is 5.3 feet North from the Southeast corner of said 40-acre subdivision; thence Northwesterly along the Easterly boundary of said railroad right of way to the point where it intersects the East boundary line of U.S. Highway No. 93 (as conveyed to the State of Montana by deed recorded in Book 211 of Deeds, at page 88), thence along the East boundary line of said U.S. Highway No. 93 to the point where it intersects the center line of Ashley Creek, which point is approximately 100 feet north of the South boundary line of the Southwest Quarter of the Northwest Quarter of Section 33; thence Westerly up and along the center line of said Ashley Creek to the West boundary line of said last mentioned 40-acre subdivision; thence continuing up along the center line of said Ashley Creek in a Westerly and Southwesterly direction across the Southeasterly portion of the said Southeast Quarter of the Northeast Quarter of said Section 32 to the South Boundary of said 40-acre subdivision; thence continuing up the center line of said Ashley Creek in a Southerly Direction to the South boundary of said Northeast Quarter of the Southeast Quarter of said Section 32; thence East along the South boundary line of the Northeast Quarter of the Southeast Quarter of Section 32 to the Southeast corner thereof; thence continuing East along the South boundary line of the Northwest Quarter of the Southwest Quarter of Section 33 to the Southeast corner thereof; thence North along the East line of said Section 33 to the place of beginning, but subject to the said railroad right of way and said U.S. Highway No. 93.

TOGETHER with all and singular the hereinbefore described premises together with all tenements, hereditaments, and appurtenances, thereto belonging or in anywise appertaining, and the reversion and reversions,

THIS INDENTURE, Made the 7th day of December, in the year of our Lord, One Thousand Nine Hundred and Forty-nine, between LLOYD MAHLUM, a single man of Corvallis, Montana, the party of the first part, and FRANK L. DUFFY of Kalispell, Montana, the party of the second part, witnesseth, that the said party of the first part, for and in consideration of the sum of One Dollar and other valuable considerations, lawful money of the United States of America to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all the real property situated in Flathead County, State of Montana, described as follows:

A tract of land situated in the Northwest Quarter of the Southwest Quarter and Southwest Quarter of the Northwest Quarter of Section 33; and in the Southeast Quarter of the Northeast Quarter and Northeast Quarter of the Southeast Quarter of Section 32, Township 28 North, Range 21 West, M. P. M., more particularly described as follows:

Commencing at a point where the Easterly boundary of the railroad right of way (as conveyed to the St. Paul, Minneapolis & Manitoba Railway Company by deed recorded in Book 35 of Deeds, at page 573) intersects the East line of the Northwest Quarter of the Southwest Quarter of said Section 33, and which point is 5.3 feet North from the Southeast corner of said 40-acre subdivision; thence Northwesterly along the Easterly boundary of said railroad right of way to the point where it intersects the East boundary line of U. S. Highway No. 93 (as conveyed to the State of Montana by deed recorded in Book 211 of Deeds, at page 88), thence along the East boundary line of said U. S. Highway No. 93 to the point where it intersects the center line of Ashley Creek, which point is approximately 100 feet north of the South boundary line of the Southwest Quarter of the Northwest Quarter of Section 33; thence Westerly up and along the center line of said Ashley Creek to the West boundary line of said last mentioned 40-acre subdivision; thence continuing up along the center line of said Ashley Creek in a Westerly and Southwesterly direction across the Southeasterly portion of the said Southeast Quarter of the Northeast Quarter of said Section 32 to the South Boundary of said 40-acre subdivision; thence continuing up the center line of said Ashley Creek in a Southerly direction to the South boundary of said Northeast Quarter of the Southeast Quarter of said Section 33; thence East along the South boundary line of the Northeast Quarter of the Southeast Quarter of Section 32 to the Southeast corner thereof; thence continuing East along the South boundary line of the Northwest Quarter of the Southwest Quarter of Section 33 to the Southeast corner thereof; thence North along the East line of said Section 33 to the place of beginning, but subject to the said railroad right of way and said U. S. Highway No. 93.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title and interest; property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns, forever. And the said party

WARRANTY DEED

THIS INDENTURE, Made the 26th day of December in the year of our Lord one thousand nine hundred and forty-six between Eugene A. McCabe, a single man, of Flathead County, Montana part y of the first part, and Lloyd Mahlum, whose Post Office address is Kalispell, Montana

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of Ten Dollars and other valuable consideration of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do es by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain pieces or parcels of land, situate, lying and being in the County of Flathead and State of Montana, and particularly described as follows, to-wit: The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-two (32), Township Twenty-eight (28) North Range Twenty-one (21) West, also all that part of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-three (33), Township Twenty-eight (28) North Range Twenty-one (21) West, situated on the Southerly side of the center line of Asuley Creek extending from the Easterly boundary up to the Westerly boundary of said 80 acres subdivision.

- All of the above described property is conveyed subject to the following:
1. The right of way granted by John Quann to Saint Paul, Minneapolis and Manitoba Railway Company as conveyed and described by Deed therefor recorded in the office of the County Clerk and Recorder of said County of Flathead, January 21, 1901, in Book 35 of Deeds, at Page 573.
 2. Subject to the right of way Deed for U. S. Highway No. 93, granted by Eugene A. McCabe and Elizabeth McCabe to the State of Montana, recorded in the office of the County Clerk and Recorder of said County of Flathead June 14, 1932, in Book 211 at Page 88.
 3. The County Highway along and upon the Easterly boundary of said property.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the revenues and profits, remainder or remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, property possession, claim and demand whatsoever, as well in law as in equity, of the said part y of the first part, of, in and to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said part y of the second part, and to his heirs and assigns forever. And the said part y of the first part, and his heirs, do hereby covenant that they will forever warrant and defend all right, title and interest in and to the said premises, and the quiet and peaceable possession thereof unto the said part y of the second part, his heirs and assigns, against the acts and claims of the said part y of the first part, and all and every person or persons whomsoever, lawfully claiming or to claim the

Subject to the lien, if any, for taxes levied subsequent to the year 1942.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of) Eugene A. McCabe (SEAL)
) (SEAL)
) (SEAL)

STATE OF MONTANA, } ss.
 County of Flathead.

On this 26th day of December, in the year one thousand nine hundred and forty-six before me, Hans Walchli, a Notary Public for the State aforesaid, personally appeared Eugene A. McCabe, a single man,

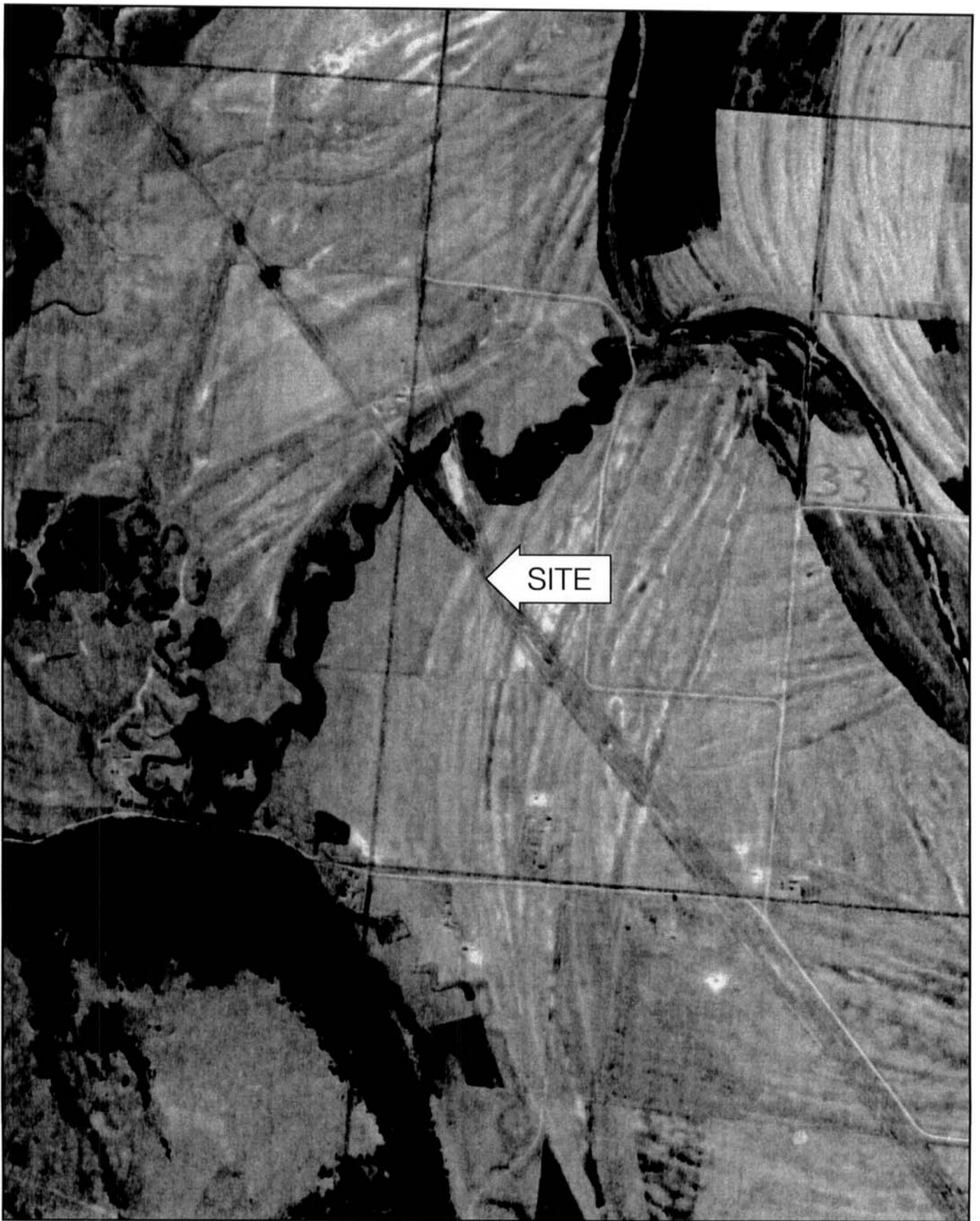
known to me personally to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year first above written.

(Hans Walchli)
 (Notarial Seal)
 (State of Montana)

Hans Walchli
 Notary Public for the State of Montana.
 Residing at Kalispell, Montana
 My Commission expires May 21, 1947

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Montana Department of Transportation Aerial Photo



7561547

1937
3450 U.S. Highway 93 South
Kalispell, Montana

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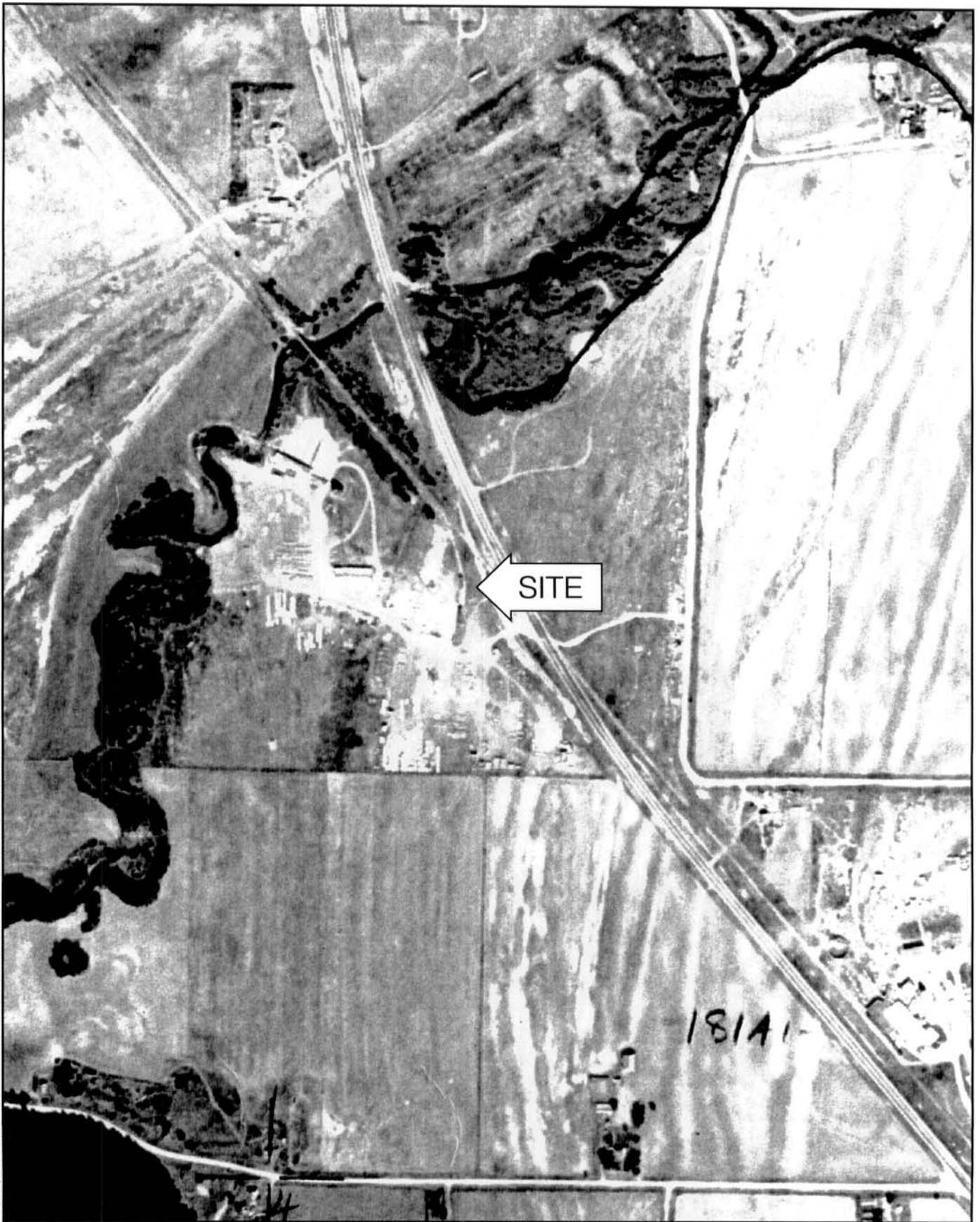
Montana Department of Transportation Aerial Photo



7561547

1946
3450 U.S. Highway 93 South
Kalispell, Montana

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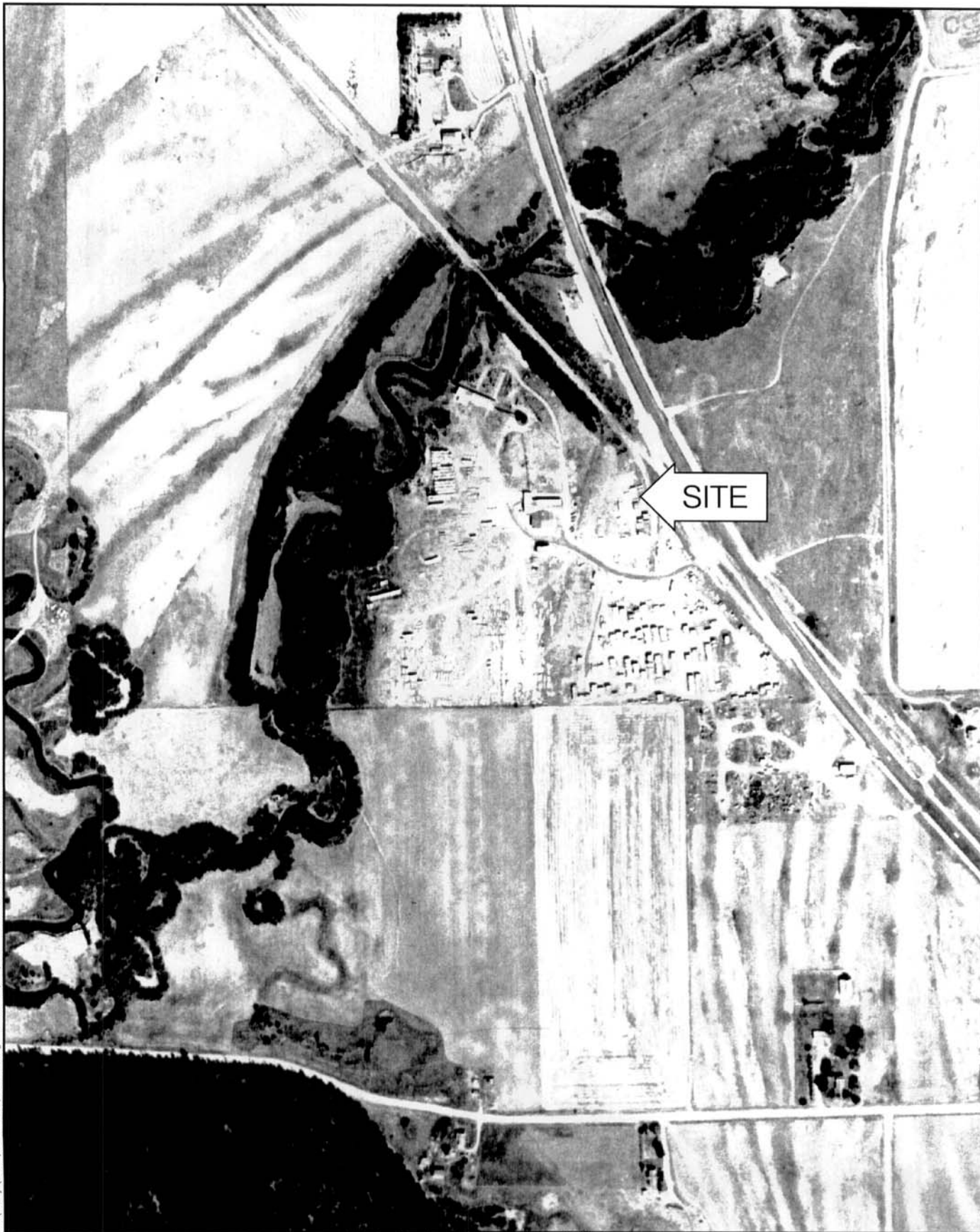
Montana Department of Transportation Aerial Photo



7561547

1954
3450 U.S. Highway 93 South
Kalispell, Montana

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Montana Department of Transportation Aerial Photo



7561547

1961
3450 U.S. Highway 93 South
Kalispell, Montana

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Montana Department of Transportation Aerial Photo



7561547

1974
3450 U.S. Highway 93 South
Kalispell, Montana

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Montana Department of Transportation Aerial Photo



7561547

1977
3450 U.S. Highway 93 South
Kalispell, Montana

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Montana Department of Transportation Aerial Photo



7561547

1986
3450 U.S. Highway 93 South
Kalispell, Montana

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NRIS Aerial Photo



7561547

2006
3450 U.S. Highway 93 South
Kalispell, Montana

APPENDIX D

REGULATORY DOCUMENTATION

COPY

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

Kalispell Feed and Grain
3450 Highway 93 South
Kalispell, Montana

April 21, 1997

Prepared for
Norwest Bank
PO Box 88
Kalispell, Montana 59903

Olympus WO 96-6394

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1.0 INTRODUCTION

This report presents the results of a Phase I Environmental Site Assessment (ESA) conducted by Olympus Environmental, Inc. (Olympus) for Norwest Bank Montana at Kalispell Feed and Grain located at 3450 Highway 93 South, Kalispell, Montana. Norwest Bank requested the ESA to identify potential environmental impacts and readily discernible environmental liabilities at the property.

The Phase I ESA scope of work consisted of four tasks: 1) review of available documents from local, state, and federal agencies; 2) interviews with individuals knowledgeable to the site; 3) a site examination; and 4) preparation of the ESA report. A site visit was conducted on April 15 & 16, 1997. Conclusions and recommendations in this report are based upon information collected during the completion of the first three tasks.

2.0 SITE DESCRIPTION

2.1 LOCATION

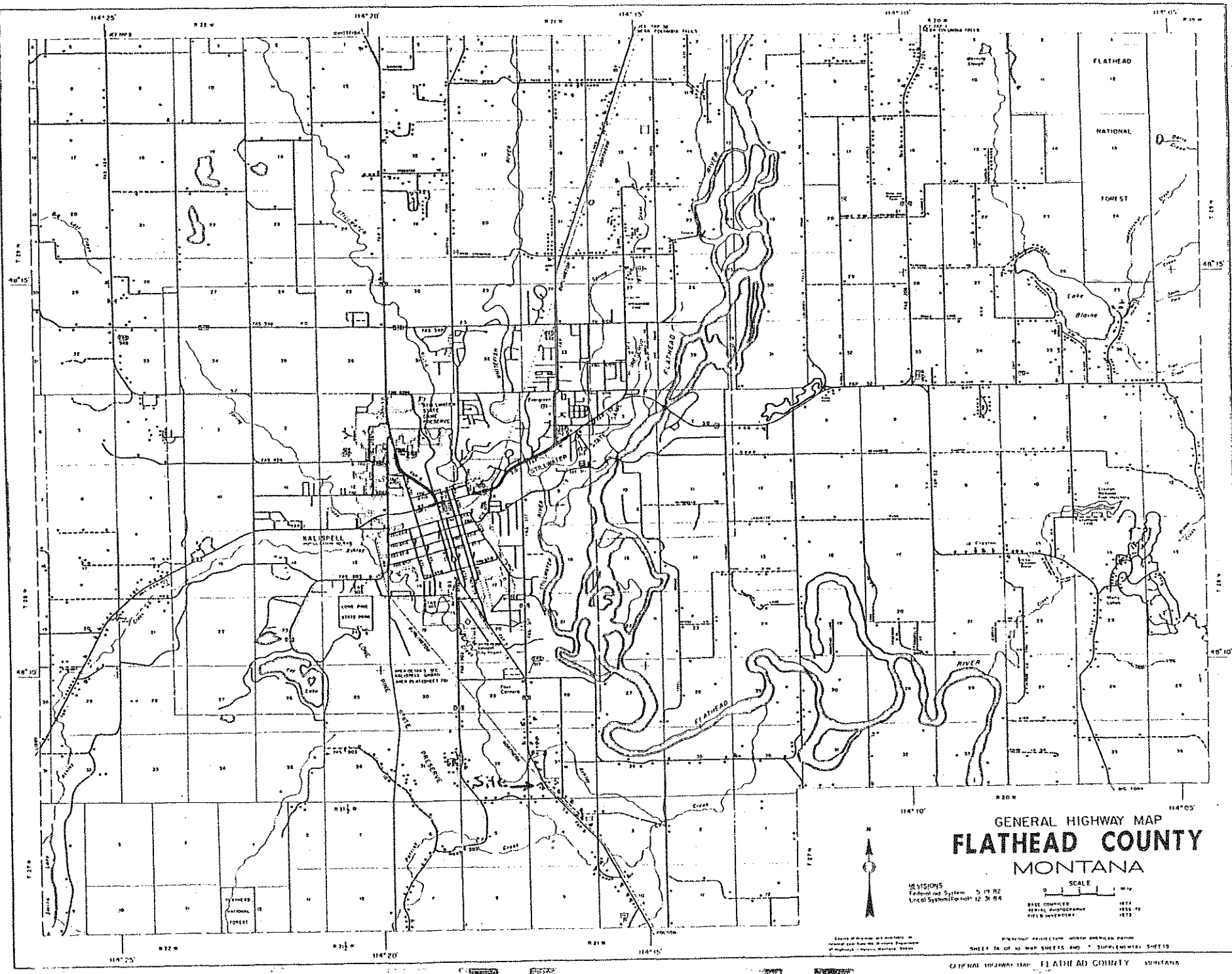
The subject property is located at 3450 Highway 93 South, approximately 2.5 miles south of Kalispell, Montana (Figure 1). The site occupies approximately 15.25 acres in the SE 1/4, NE 1/4 and the NE 1/4, SE 1/4, Section 32 and the NW 1/4, SW 1/4 and the SW 1/4, NW 1/4, Section 33, Township 28 North, Range 21 West, Principal Montana Meridian, Flathead County, Montana. A full legal description of the property is provided in Appendix A. A map of the site area is shown in Figure 1.

2.2 AREA GEOLOGY/HYDROGEOLOGY

The site is located on generally level terrain with an overall slope to the west towards Ashley Creek, which forms the western boundary of the property. Ashley Creek flows in a north and easterly direction adjacent to the site and is a tributary of the Flathead River, which is located approximately 1 mile east of the site.

The shallow subsurface in this area is characterized by glacial deposits that consist of a mix of glacial till and alluvium composed of silt, sand and gravel. The depth to ground water is reported to be four feet below ground surface in a water supply well located on the site. Ground water movement beneath the site is unknown as we found no evidence of previous ground water studies at the site.

Ground water resources in the area are utilized with 99 water supply wells located within one mile of the site that are registered with the Montana Bureau of Mines and Geology. A list of these wells is provided in Appendix B. The nearest wells are generally completed at depths of 150 to 400 feet below ground surface with the depth to static water levels in the wells ranging from 4 to 192 feet below ground surface. There is a water supply well located on the site as shown in Figure 2. A drillers log of this well is provided in Appendix C. The well is completed to a depth of 168 feet below ground surface and static water level in the well is reported to be four feet below ground surface. The well penetrates unconsolidated, interbedded clay, silt, sand and gravel that is probably of glacial origin.



GENERAL HIGHWAY MAP
FLATHEAD COUNTY
MONTANA



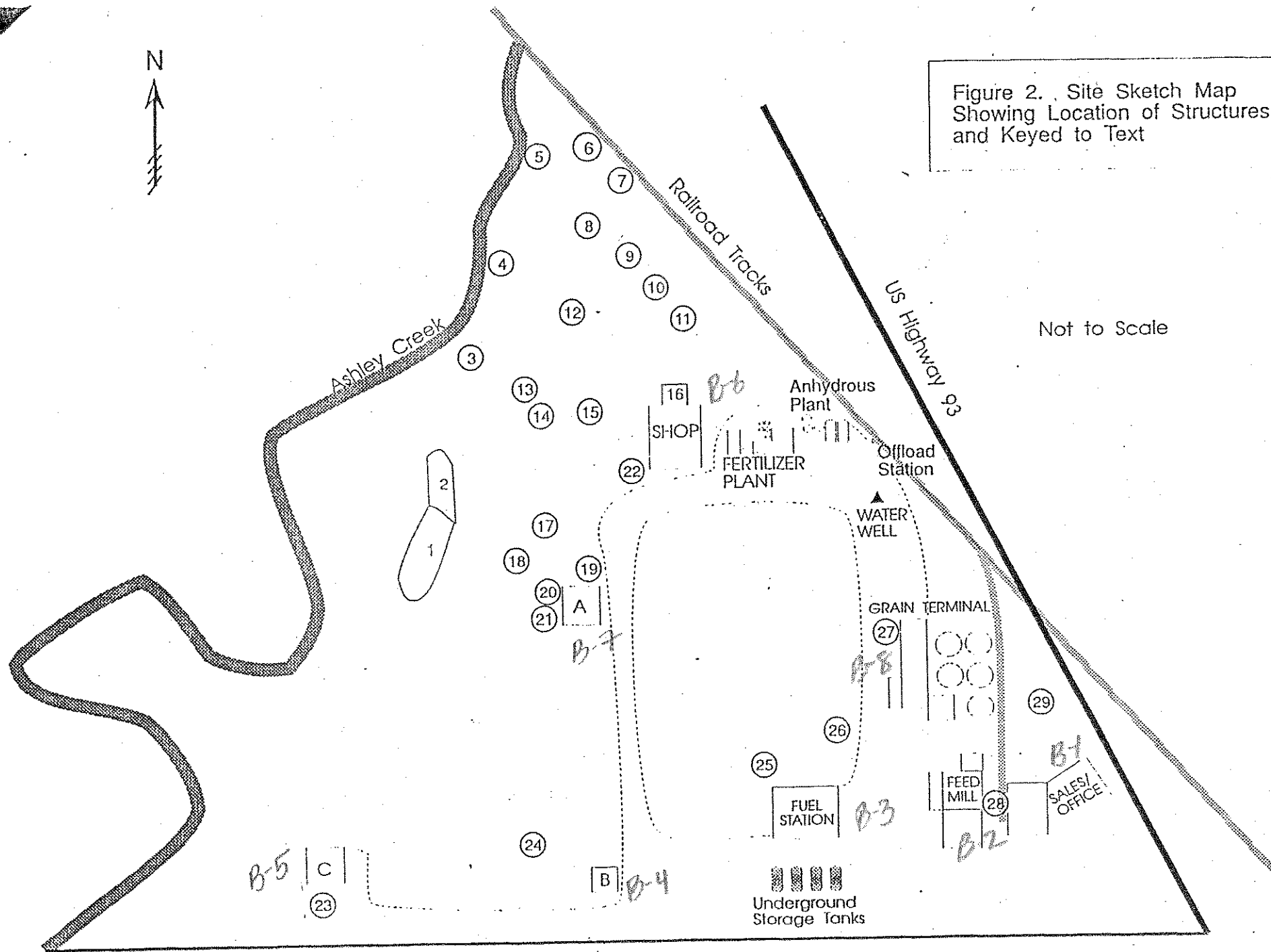
VISIONS
Federal and State
Local System for 1964

SCALE
0 1 2 3 4 5 6 7 8 9 10
MILES
BASE COMPILED
AERIAL PHOTOGRAPHY
FIELD SURVEYS

Copyright © 1964 by the Montana Department of Transportation
SHEET 26 OF 30 MAP SHEETS AND 1 SUPPLEMENTAL SHEET
GENERAL HIGHWAY MAP: FLATHEAD COUNTY MONTANA



Figure 2. Site Sketch Map
Showing Location of Structures
and Keyed to Text



2.4 SURROUNDING LAND USE

The surrounding property uses are primarily agricultural and commercial. The adjacent property to the south of the site is occupied by Long Machinery, who sells and leases heavy equipment. Property to the north and west of the site, across Ashley Creek, is used for grazing. The site is bounded to the east by US Highway 93.

3.0 RECORDS REVIEW

Olympus conducted a review of available records using Datasite Services, a national provider of local, state and federal agencies records. The review included records from the Montana Department of Environmental Quality (DEQ) and the United States Environmental Protection Agency (USEPA). The site report is provided in Appendix D. In addition, Olympus reviewed DEQ underground storage tank (UST) files regarding tank registration at Kalispell Feed and Grain and nearby releases of petroleum hydrocarbons. The following information was disclosed by the records search.

Neither this site nor other properties located within one half mile of the site were identified as State or EPA Superfund sites or as generators of hazardous waste. Three properties, located approximately one mile southeast of Kalispell Feed and Grain, are listed as hazardous waste generators. They include:

Howard's Furniture, 4072 US Highway 93 South
Treasure State Foundry, 4063 US Highway 93 South
A&J Trailer Manufacturing, 4039 US Highway 93 South

Four USTs located on the site are registered with the DEQ. The tanks are registered to Kalispell Feed and Grain under facility ID# 1-508356. The four tanks are reported to be constructed of steel. The tank capacities and contents, as reported in the registration are as follows:

<u>Tank Capacity (Gallons)</u>	<u>Contents</u>
20,000	Gasoline
18,000	Diesel
12,000	Gasoline
12,000	Diesel

At least one of the tanks appears to be out of compliance with Montana UST regulations in that it has been out of service for more than one year and was not permanently closed. DEQ records indicate that there was a request by Kalispell Feed and Grain in 1994 to bring the fourth tank back into service. The DEQ responded with a letter dated August 23, 1994 stating that a site assessment would be required and the UST upgraded before it could be used. A copy of this letter is provided in Appendix E. No additional records of what was done with this tank appear in the DEQ records. Based on the site walkthrough, the tank appears to still be in the ground at the site.

Underground storage tanks can pose environmental liability if a release has occurred and cleanup is required. However, if the tanks are in compliance with applicable regulations and a release does occur, the owner is eligible for Petrofund reimbursement for investigation and cleanup of the release. Petrofund will reimburse 50% of the first \$35,000.00 spent on the cleanup and 100% of the remaining costs up to \$1,000,000.00. If the site is eligible, and the money spent is considered reasonable and necessary by the Petrofund, then the owner's liability is limited to \$17,500.00 of the first \$1,000,000.00 spent. The owner would be 100% responsible for costs over \$1,000,000.00. Since at least one of the USTs appears to be out of compliance, Petrofund reimbursement for this site is jeopardized. No releases are on record with the Montana Department of Environmental Quality for the Kalispell Feed and Grain site as of December 31, 1996.

Underground storage tanks were also registered at nearby properties of which the nearest are Fun Beverage Inc. and Solberg Trucking Inc. No tanks are reported to be present at Fun Beverage Inc. at this time, which suggests that they were removed from service in the past. Fun Beverage Inc. is located at 3455 Highway 93 South, across the highway from Kalispell Feed and Grain. The Fun Beverage Inc. site is not listed with the DEQ as having a petroleum release.

Two underground storage tanks are registered at Solberg Trucking Inc., which is located approximately several hundred feet due west of Kalispell Feed and Grain. A release was discovered on this site on April 30, 1996. Approximately 20 cubic yards of contaminated soil were removed from the site and taken to a landfarm for treatment. On November 11, 1996, the DEQ issued a no further action letter for the site based on the absence of detectable hydrocarbon compounds in a sample collected from the base of the contaminated soil excavation. However, a report on the cleanup was not in the DEQ file so it is not clear if the cleanup confirmation sampling was properly done. If additional contamination is present on the Solberg Trucking property, there would be the possibility of it migrating onto the Kalispell Feed and Grain property in the ground water.

4.0 SITE RECONNAISSANCE

Olympus inspected the site on April 15 and 16, 1997. The site inspection consisted of touring the subject property, noting observations of the environmental conditions, interviewing employees familiar with the site, taking photographs of the property and surrounding area, and visually inspecting the subject site and adjacent properties for readily discernible evidence of potential environmental liability or impacts from regulated materials. Photographs are provided in Appendix F along with descriptions of the photographs. The following discussion presents those findings which were determined to have direct bearing on the environmental conditions at the Kalispell Feed and Grain site. The locations discussed below are keyed to Figure 2 which also shows the site structures.

The ground surface at the site is mostly vegetated with grasses and weeds. Vehicular traffic areas generally have a sparse gravel road mix cover. Although the grass was dead at the time of year of the inspection, with the exception of a few areas described below, it provided a thick ground cover indicative of healthy vegetation.

Most of the site appears to be covered with up to several feet of fill material. This is indicated on Photographs 1 and 2 which show elevated ground surfaces and fill material consisting of concrete and steel. These photographs are taken at locations 6 and 7 on Figure 2. The fill material was not tested to determine if any contamination may have been introduced to the fill.

Portions of the site appear to have been used as dumping grounds for a variety of materials including scrap steel, discarded machinery, wood wastes, feed and seed, and chemical containers (drums and pails). These areas are shown on the site map in Figure 2. These dumps could be in violation of Montana and Federal Landfill regulations. In addition, if the drums contain hazardous wastes, this storage or disposal is in violation of Montana and Federal hazardous waste regulations. Olympus has identified over 50 drums, of which at least 30 appear to contain some liquids, and numerous 5 gallon pails at the site. Most of the drums are not labeled. At least one of the drums is currently leaking an unknown substance. Some of the debris piles have been burnt and other empty drums on site may have released their contents in the past. These containers represent a serious environmental liability at the site. Most of the areas where chemical containers were observed are noted below. These locations do not include all the debris piles on the site; however, they are representative of the magnitude of dumping observed at the site.

Location 1 is an area where brush and old tree stumps have been dumped along with lesser other wastes, including an old drum cut in half. An embankment here indicates that this is likely the western extent of fill on the site.

Location 2 is an area where grain and scrap metal have been dumped and there is a strong silage odor here. There are at least 6 drums in this area with one possibly containing material. Photograph 3 is of this area.

Location 3 is where a smashed steel storage tank is located. Photograph 4 is of this tank.

Location 4 contains 13, 55-gallon drums, some with liquids in them. The drums are not labeled. Photograph 5 shows the drums.

Location 5 has one, mostly empty 55-gallon drum along with metal debris. Photograph 6 shows the drum.

Location 8 is a shed with some debris inside but no drums. There is one empty 1-gallon container labeled Hy-Tran Fluid.

Location 9 is an area with 12 drums, all of which appear to contain some liquid. One drum is labeled Di-Chem DC-11, although that may not be the same as the contents. The rest of the drums are unlabeled. One drum is leaking an orange liquid. Photograph 7 shows the drums and photograph 8 is a close-up of the leaking drum. Depending on the composition of the leaking material, it could be a violation of state and federal superfund laws.

Location 10 contains a 55-gallon drum that is down in some brush (Photograph 9).

Location 11 contains two, 55-gallon drums, one containing some liquid (Photograph 10).

Location 12 is a debris pile with four, 20-gallon drums and one, 5-gallon pail next to the pile. At least two of the 20-gallon drums contain some liquid. Photograph 11 shows the drums and debris pile.

Location 13 has a debris pile with smashed drums and pails and appears as if it was burnt (Photograph 12).

Location 14 has seven white tanks on the ground surface (Photograph 13).

Location 15 has two, 55-gallon drums, one of which is labeled Dinitro Amine Herbicide (Photographs 14 and 15).

Location 16 is a fenced in area (20'X10') behind the shop that contains what appear to be empty, 5 gallon pails of various brands of herbicides and pesticides piled up to 3 to 5 deep (Photograph 16). There is one, partially full 55-gallon drum in this area.

Location 17 has an empty 55-gallon drum (Photograph 17).

Location 18 is an old car wash building that is currently being used to store drums and pails that mostly appear empty (Photographs 18, 19 & 20). Some of the drums are labeled crude corn oil.

Location 19 is a debris pile with a 55-gallon drum on it along with apparently empty 5-gallon lubricant pails (Photograph 21).

Location 20 has one, partially full 55-gallon drum and two, full 5-gallon pails on a pallet and one, partially full 55-gallon drum next to the pallet (Photograph 22). The drums do not have bungs in them. One pail is open topped and appears to contain waste oil. There is evidence of spillage onto the ground around the pallet.

Location 21 has one, partially full, 55-gallon drum on a pallet (Photograph 23).

Location 22 has an above ground storage tank with one partially full 55-gallon drum, two partially full 30-gallon drums, two open 5-gallon pails containing what appears to be waste oil, four closed 5-gallon lube oil pails and three open, empty 5-gallon pails (Photographs 24 & 25). There is oil staining on the ground surface in this area that covers an area of 10' X 20'. There is no containment berm around the tank which may cause it to be in violation of Fire Code, depending on what the tank contents are.

Location 23 is an area where there are several small patches (5' X 10') of oil staining on the ground surface (Photograph 26). A semi-tractor parked in this area with a "Sure Seal Dust Control" sign on it was leaking oil onto some cardboard placed under the truck.

Location 24 is a debris pile containing mostly wood, there is no evidence of drums or chemical containers on the surface. A tenant complained of a natural gas odor in this area and this odor was detected by Olympus personnel on site just downwind of the pile. The odor was very faint and similar to the mercaptans placed in natural gas as an odorant. A source for the odor could not be found. Photograph 27 shows the debris pile in the left side of the photograph.

Location 25 is a general dump area behind the fuel station. It contains an empty above ground storage tank laying on its side (Photograph 28), old pumps, metal debris and empty 55-gallon drums (photograph 29) and empty USTs (Photograph 30).

Location 26 is an area where grain is dumped.

Location 27 has a liquid feed tank (Photograph 31).

Location 28 has six, empty 55-gallon drums (Photograph 32).

Location 29 does not show any dumping, however it is likely a fill area (Photographs 33 & 34).

B-7 Building A is a metal structure with concrete floor and no insulation (Photograph 35). A floor drain was not observed. There is a Farmstead sign on the building. It appears to be used as a shop for irrigation piping. It contains pipe fittings and other supplies, a grinder, welder and cut-off saw. There are some pails of lubricating oil and Berryman Chem-Dip All Purpose Carburetor and Parts Cleaner in the building. The Chem-Dip contains cresylic acid, methylene chloride and xylene. Material bins and racks of irrigation pipe are located to the south of building A.

B-4 Building B is a metal structure with a shop area and an office area. No chemical containers were noted in the building during the walkthrough. A new tenant was moving in to open an automobile shop and they were cleaning up the building. A floor drain was not observed in the building, however there is a toilet and shower area. These facilities probably drain to a septic field which presents a pathway for chemical migration to the ground water if chemicals have been disposed of into the system. The office area is sheetrocked and has acoustical ceiling panels in good condition. The panels may contain asbestos. The warehouse area has blown-on insulation on the inside walls and ceiling. It is in poor condition, is flaking and if asbestos containing, could present a health hazard due to the flaking and release of particles to the environment.

B-5 Building C is a metal structure with an "Ammy's Home Repair & Service" sign on it (Photographs 36 & 37). Access could not be gained to this building since the tenants were not present during the walkthrough. During the ESA that Olympus completed on this site in 1991, the building was accessed. At that time the building was vacant. The following observations were noted during the 1991 investigation. The building is divided into an office area and a warehouse area. The office portion is sheetrocked and has acoustical ceiling tiles throughout most of the area. The panels were in good condition, however they may contain asbestos. One hallway and one office have blown-on insulation in the ceiling. The insulation is in poor condition and may contain asbestos. There are bathrooms in the office area and a sink in the warehouse area which probably drain to a septic field. This could be a concern if chemicals have been disposed of into the system. The warehouse is not insulated and does not have floor drains in the concrete floor.

B-3 The fuel station is used as a Pacific Pride cardlock station (Photograph 38). There are four underground storage tanks at the site that feed three pumps labeled off-road diesel, on-road diesel and unleaded gasoline. There is also a pump island with no pumps on it. There are four capped pipes on the pump island. If these pipes are part of an underground storage tank system that has been out-of-service for more than one year then this would be a violation of Montana and Federal Underground Storage Tank rules. The area around the existing pumps

is gravel covered. Oil or fuel staining was not observed on the gravel. Access to the building could not be gained during this site visit since the tenants were not on-site. The building was accessed during the ESA completed by Olympus in 1991 and the following description is from that assessment. The building is divided into an office and warehouse. The office is sheetrocked and part of it has blown-on insulation that is in poor, flaking condition. The insulation may be asbestos containing. A bath area in the office area probably drains to a septic field. This could be a concern if chemicals have been disposed of into the system. The warehouse is not insulated nor does it have floor drains. At the time of the walkthrough, the warehouse was used for parts storage and no hazardous materials were observed at that time.

B-6 The shop was originally used by Kalispell Feed and Grain as their repair and maintenance shop. It is currently leased and the tenant was not available to provide access to the building. Olympus did access the building during the 1991 ESA and the following observations were made at that time. The building was leased by Grey's Fiasco Automotive. They used a biodegradable solvent called "Natural Plus" for parts cleaning. A 5-gallon pail of carburetor cleaner was also present in the shop and its constituents included cresylic acid, methylene chloride and xylene. Blown-on insulation was present on the inside walls of the building. The material is friable and may contain asbestos. There is a sump in the building that may drain to a septic field or directly into the ground. Neither the current tenant nor Cliff Swallow reported knowledge of use or cleaning of a septic tank. If hazardous chemical have been disposed of into this sump, it could present a direct pathway to ground water at the site. The tenant stated that he had heard that the building was full of debris at one time and extensive cleaning was needed to make the building usable. The nature of the debris is not known.

B-1 The sales/office building is currently used as a retail outlet for feed and seed supplies. There are floor tiles and ceiling panels which may contain asbestos. There is a warehouse on the west side of the building that contains miscellaneous supplies. Chemical containers were not noted in the warehouse. A floor drain was not observed in the building. Plumbing facilities are located in the building and they may drain into a septic field. This could pose a threat to ground water if chemicals have been dumped into it.

The feed mill was in use at the time of the walkthrough (Photograph 39). There was no indication of hazardous material usage or disposal in this area. An underground storage tank is located at the west end of the feed mill and it is reported to contain molasses. Drums of what was reported to be molasses were being emptied into the tank at the time of the walkthrough (Photograph 40). A boiler room is located on the north side of the feed mill. There was no insulation observed on the pipes or boiler.

The grain mill was in use at the time of the walkthrough (Photograph 39). There was no indication of hazardous material usage observed, however an employee stated that occasionally they use a pesticide on the grain if it is buggy.

The fertilizer plant is not in operation and is reported to have been shut down in 1985 (Photographs 41 & 42). There was no evidence of spillage or ground surface staining on the site. However, one of the tanks was ruptured (Photograph 42).

Nitrogen fertilizer production is occurring just east of the old fertilizer plant. These operations consist of an off-loading station at the rail spur that feeds two anhydrous ammonia tanks. There are also three polyethylene tanks located adjacent to the anhydrous tanks. There was no evidence of stressed vegetation in the area around the plant.

5.0 CONCLUSIONS

The investigation has identified the following main areas of environmental concern for the site and possible approaches to each concern are provided.

One of the underground storage tanks and some associated piping appears to be out of compliance. This should be confirmed with the DEQ and the tank and piping removed. During tank closure, soil and/or ground water samples would be collected which would indicate if a release had occurred from the tank. Any ground water sampling would also aid in testing for contamination that could be migrating onto the site from potential off-site sources such as Solberg Trucking.

The site appears to be underlain by fill material of unknown composition. Test pits could be completed at various locations across the site to test for the presence of contamination in the fill material.

The dumping of debris, chemical containers and unknown liquids in some of the containers seen across the site could be in violation of state and federal landfill and hazardous waste regulations. In addition, past releases may have occurred from the containers which, depending on the contents, could require portions of the site to be remediated under the Montana Superfund Act (Comprehensive Environmental Cleanup and Responsibility Act). This concern could be addressed by characterizing the drum contents, properly disposing of them and other debris on site, and testing the soil in the area of the drums to determine if elevated levels of contaminants are present.

There is a possibility that asbestos containing material is present in several of the buildings. Laboratory testing would be required to determine if the material does contain asbestos.

On-site septic fields represent a potential pathway for ground water contamination at the site. Ground water testing in the vicinity of the drainfields can be used to test for the presence of ground water contamination.

6.0 LIMITATIONS

The services documented in this report were performed in a manner consistent with generally accepted principles and practices for the nature and conditions of the work completed in the same or similar localities, at the time the work was performed. No other warranty, express or implied, is made. The information contained in this report was prepared in accordance with the work scope, budget, and terms and conditions described in the Olympus Environmental, Inc. project proposal. The services provided were consistent with the contractual agreement with our client. This report is solely for the use and information of our client unless otherwise noted.

Opinions contained in this report apply to conditions existing when the services were performed and are intended only for the client, and or his authorized agents. All conclusions and recommendations are based on readily available and reasonably ascertainable information on site conditions at the time of the assessment and for the laws in effect at that time. We are not responsible for any changes in environmental standards, practices, or regulations subsequent to performance of services. This report is not meant to represent a

legal opinion. We do not warrant the accuracy of information supplied by others, nor the use of segregated portions of this report.

APPENDIX A
Site Legal Description

Legal Description of Site

A tract of land situated in the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section 32, and the northwest quarter of the southwest quarter and the southwest quarter of the northwest quarter of Section 33, Township 28 north, Range 21 west, P.M.M., Flathead County, Montana, particularly described as follows:

Beginning at the southwest corner of the NW 1/4, SW 1/4, of Section 33, Township 28 north, Range 21 west, P.M.M., Flathead County, Montana; thence south 89 degrees 58 minutes west and along the southerly boundary line of the NE 1/4, SE 1/4 of Section 32, a distance of 570.00 feet, more or less, to the center line of Ashley Creek; thence following along said center line of Ashley Creek to a point on the northerly boundary line of the NE 1/4, SE 1/4 of Section 32; thence continuing along said center line of Ashley Creek to its intersection with the westerly right-of-way of the Great Northern Railroad; thence south 41 degrees 55 minutes east and along said westerly right-of-way a distance of 148.22 feet to a point where the Great Northern right-of-way changes from 50 feet to 75 feet; thence south 48 degrees 5 minutes west, continuing along said right-of-way a distance of 25 feet to a point; thence south 41 degrees 55 minutes east, continuing along said right-of-way 500.00 feet to a point; thence north 48 degrees 5 minutes east following along same right-of-way a distance of 25.00 feet to a point; thence south 41 degrees 55 minutes east, continuing along same right-of-way a distance of 210.00 feet to a point of intersection with the westerly right-of-way of U.S. Highway No. 93; thence continuing along said Highway right-of-way and being a one degree curve on an arc distance of 893.33 feet to a point on the southerly boundary line of the NW 1/4, SW 1/4 of Section 33; thence south 89 degrees 30 minutes west and along said southerly boundary line of NW 1/4 SW 1/4 of Section 33 a distance of 1111.50 feet to the place of beginning, and containing 26.0 acres of land, more or less,

EXCEPTING therefrom a tract of land situated in the northeast quarter of the southeast (NE 1/4, SE 1/4) quarter of Section 32 and the northwest quarter of the southwest quarter (NW 1/4, SW 1/4) of Section 33 of Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

APPENDIX C

Driller's Log for On-Site Water Supply Well

STATE OF MONTANA
Department of Natural Resources and ConservationWHITE — DEPARTMENT
PINK — BUREAU
CANARY — WELL OWNER
GOLDENROD — DRILLER

WELL LOG REPORT

State law requires that this form be filed by the water well driller on any water well completed by him on and after July 1, 1975 within sixty (60) days after completion of the well.

1. WELL OWNER: Name <u>Kalispell Feed & Grain</u> Address <u>Box 1075, Kalispell, MT 59901</u>																																													
2. WELL LOCATION: County <u>Flathead</u> ; <u>North</u> 1/4, Sec. <u>4</u> , Twp. <u>2</u> N-S, Rg. <u>2</u> E-W																																													
3. PROPOSED USE: <input checked="" type="checkbox"/> Domestic <input checked="" type="checkbox"/> Stock <input type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input type="checkbox"/> Lawn and Garden <input type="checkbox"/> Irrigation <input type="checkbox"/> Other (if other, specify) _____																																													
4. METHOD DRILLED: <input type="checkbox"/> Cable <input type="checkbox"/> Bored <input type="checkbox"/> Forward Rotary <input type="checkbox"/> Reverse Rotary <input type="checkbox"/> Jetted <input checked="" type="checkbox"/> Other (if other, specify) _____	8. WELL LOG: <table border="1"> <thead> <tr> <th colspan="2">Depth (ft.)</th> <th rowspan="2">Formation</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>1</td> <td>Gravel</td> </tr> <tr> <td>1</td> <td>32</td> <td>Fine gray silt</td> </tr> <tr> <td>32</td> <td>36</td> <td>Fine to coarse gray silt</td> </tr> <tr> <td>36</td> <td>42</td> <td>Fine clay tan to red sand</td> </tr> <tr> <td>42</td> <td>60</td> <td>Gray sand & gravel in alternate layers</td> </tr> <tr> <td>60</td> <td>82</td> <td>Gray clay</td> </tr> <tr> <td>82</td> <td>86</td> <td>Tan silty clay</td> </tr> <tr> <td>86</td> <td>122</td> <td>Fine sand & gravel mixed in tan silty clay. Some of water.</td> </tr> <tr> <td>122</td> <td>126</td> <td>Silty sand & some gravel mixed in some water</td> </tr> <tr> <td>126</td> <td>142</td> <td>Gravel embedded in tan silty sand</td> </tr> <tr> <td>142</td> <td>158</td> <td>Tan silty sand & gravel. Some silty water.</td> </tr> <tr> <td>158</td> <td>166</td> <td>Fine sand & gravel in silty clay in alternate layers. Some silty water.</td> </tr> <tr> <td>166</td> <td>187</td> <td>Coarse gravel & fine to coarse gravel. Water.</td> </tr> </tbody> </table>	Depth (ft.)		Formation	From	To	0	1	Gravel	1	32	Fine gray silt	32	36	Fine to coarse gray silt	36	42	Fine clay tan to red sand	42	60	Gray sand & gravel in alternate layers	60	82	Gray clay	82	86	Tan silty clay	86	122	Fine sand & gravel mixed in tan silty clay. Some of water.	122	126	Silty sand & some gravel mixed in some water	126	142	Gravel embedded in tan silty sand	142	158	Tan silty sand & gravel. Some silty water.	158	166	Fine sand & gravel in silty clay in alternate layers. Some silty water.	166	187	Coarse gravel & fine to coarse gravel. Water.
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166	187	Coarse gravel & fine to coarse gravel. Water.																																											
5. WELL CONSTRUCTION: Diameter of hole <u>6</u> inches. Depth <u>187</u> ft. Casing: <input checked="" type="checkbox"/> Steel <input type="checkbox"/> Plastic <input type="checkbox"/> Concrete Threaded <input checked="" type="checkbox"/> Welded <input type="checkbox"/> Other (if other, specify) _____ Pipe Weight: Dia.: From: To: <u>17.00</u> lb/ft. <u>6</u> inches <u>10</u> feet <u>60</u> feet <u> </u> lb/ft. <u> </u> inches <u> </u> feet <u> </u> feet <u> </u> lb/ft. <u> </u> inches <u> </u> feet <u> </u> feet Was perforated pipe used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Length of pipe perforated <u> </u> feet Was casing left open end? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Was a well screen installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Material <u> </u> Dia. <u> </u> inches (stainless steel, bronze, etc.) Perforation type: <u> </u> slots <u> </u> holes Size <u> </u> set from <u> </u> feet to <u> </u> feet Size <u> </u> set from <u> </u> feet to <u> </u> feet Size <u> </u> set from <u> </u> feet to <u> </u> feet Was a packer or seal used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, what material <u> </u> Well type: <input type="checkbox"/> Straight screen <input checked="" type="checkbox"/> Graveled Was the well grouted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No To what depth? <u> </u> feet Material used in grouting <u> </u> Well head completion: Pitless adapter <u> </u> 12" above grade <input checked="" type="checkbox"/> Other <u> </u> (If other, specify) <u> </u> Was the well disinfected? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	9. DATE STARTED: <u>8-20-74</u> 10. DATE COMPLETED: <u>8-21-74</u> 11. WAS WELL PLUGGED OR ABANDONED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, how <u> </u> 12. DRILLER'S CERTIFICATION: This well was drilled under my jurisdiction and this report is true to the best of my knowledge. <u>William E. Oelmer</u> Driller's or Firm Name License No. <u>50</u> <u>105 Ave. B2, Box 1075, Kalispell, MT 59901</u> Address <u>59901</u> Signed by <u>W. E. Oelmer</u> Date <u>8-21-74</u>																																												
6. WATER LEVEL: Static water level <u>4</u> ft. below land surface If flowing: closed-in pressure <u> </u> psi GPM flow <u> </u> through <u> </u> inch pipe Controlled by: <u> </u> Valve <u> </u> Reducers <u> </u> Other, specify <u> </u>																																													
7. WELL TEST DATA: <input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input checked="" type="checkbox"/> Other (If other, specify) <u> </u> Pumping level below land surface: <u>60</u> ft. after <u> </u> hrs. pumping <u> </u> gpm <u> </u> ft. after <u> </u> hrs. pumping <u> </u> gpm																																													

APPENDIX E

Letter from DEQ

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

Solid and Hazardous Waste Bureau
Underground Storage Tank Program
(406) 444-5970

FAX # (406) 444-1902



STATE OF MONTANA

OFFICE 2209 PHOENIX AVE.
LOCATION: HELENA, MONTANA

MAILING PO BOX 200901
ADDRESS: HELENA, MT 59620-0901

August 23, 1994

Darryl Bjork
Valcon Distributing, LTD. Inc.
50 - 5th Avenue West North
PO Box 9200
Kalispell, MT 59904-9200

SUBJECT: Re-use of diesel tank at Facility ID 15-08356

Dear Mr. Bjork:

We have received your request to reactivate Tank #4 at the above-referenced facility. Owners and operators must complete a site assessment in accordance with ARM 16.45.703 before any extension of temporary closure or variance from permanent closure of tanks that have been out-of-use for more than 12 months. A site assessment would need to be completed and submitted to the UST Program for review before requesting a variance from the permanent closure requirements.

In addition to the site assessment, verification must be provided that the tank has been upgraded with cathodic protection and spill and overfill prevention in accordance with 16.45.202. A permit will be necessary before upgrading this tank if it has not been previously completed. Please find enclosed a permit application form.

Leak detection monitoring would need to be implemented for both the tank and piping in accordance with ARM 16.45.401.

The 1994 tank registration fees have been paid for all four tanks at this facility.

Thank you for your cooperation. If you have any questions, please contact me at the address above or call 444-5970.

Sincerely,

A handwritten signature in cursive script that reads "Theresa J. Blazicevich".

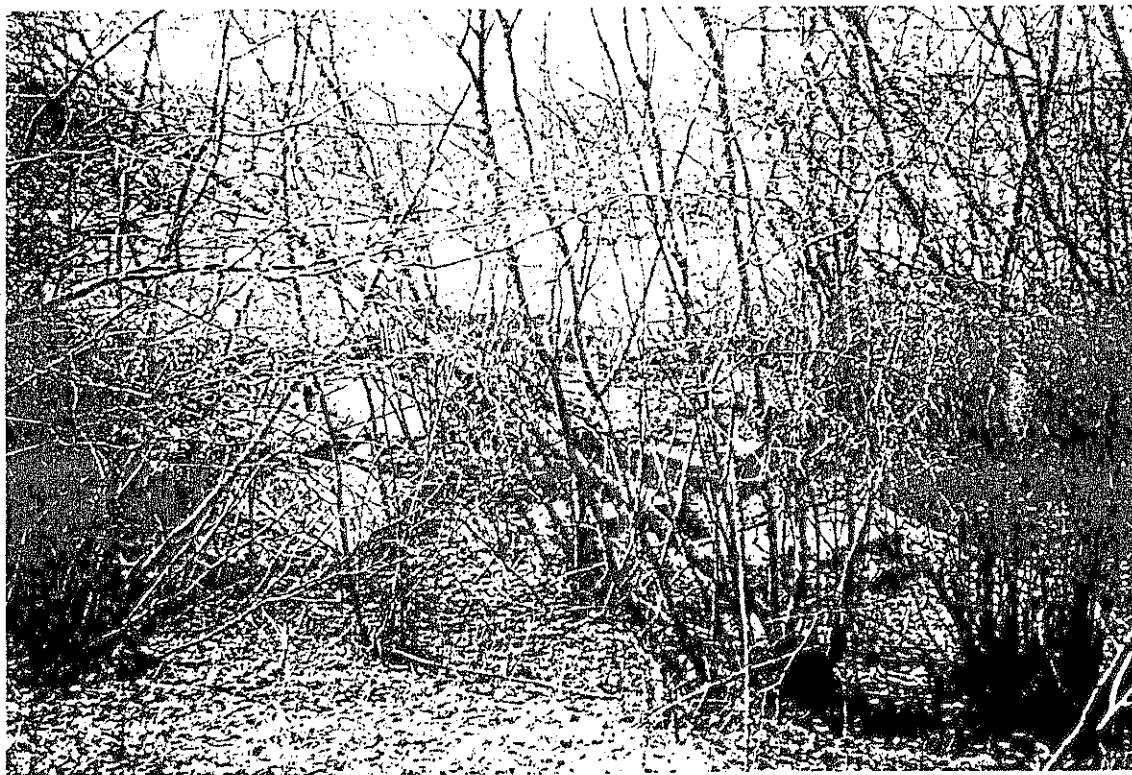
Theresa J. Blazicevich
Regulatory Program Lead

Enclosures: Tank Management and Operation Rules, Permit Application

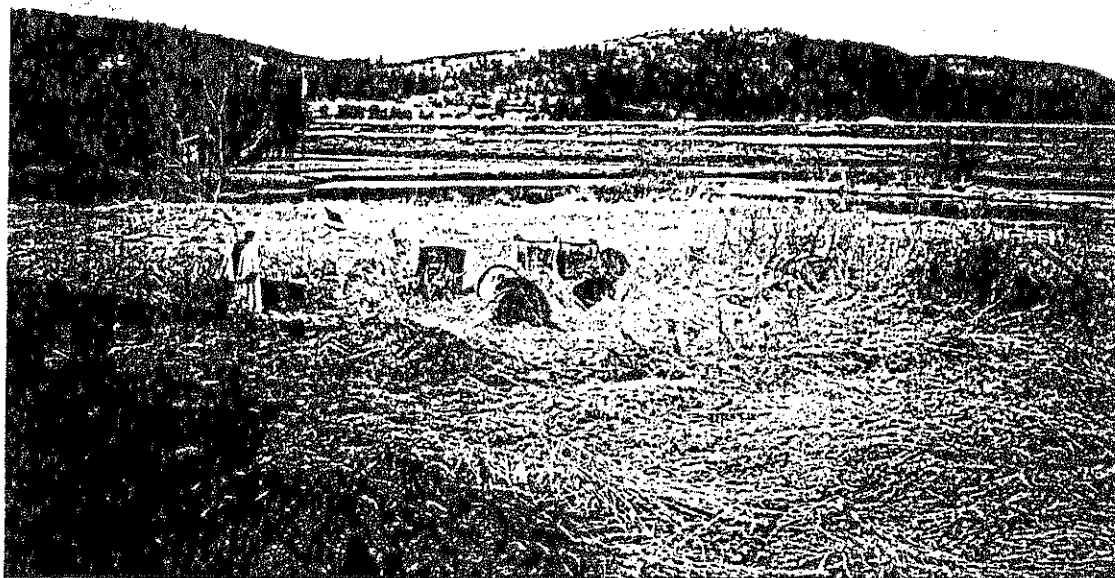
APPENDIX F
Site Photographs



Photograph 1 - Location 6. Edge of fill material with piping.



Photograph 2 - Location 7. Edge of fill material showing concrete fill.



Photograph 3 - Location 2. Six drums, one possibly containing liquids. Ashley Creek in background.

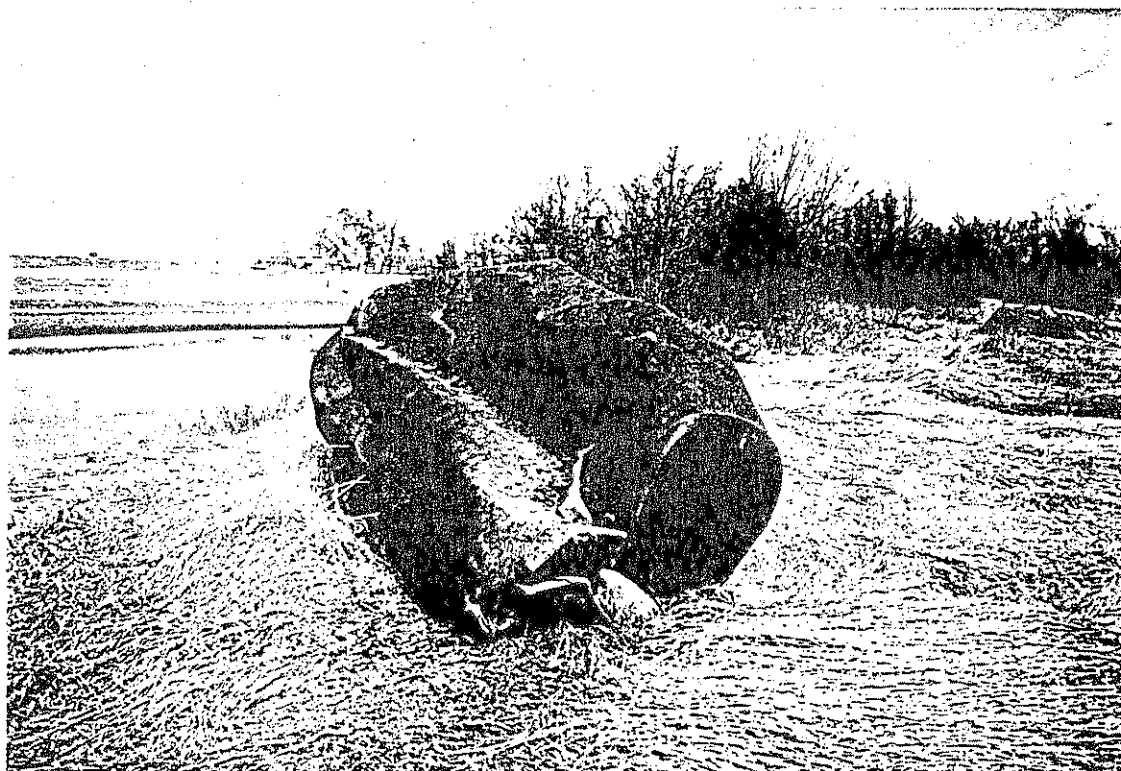
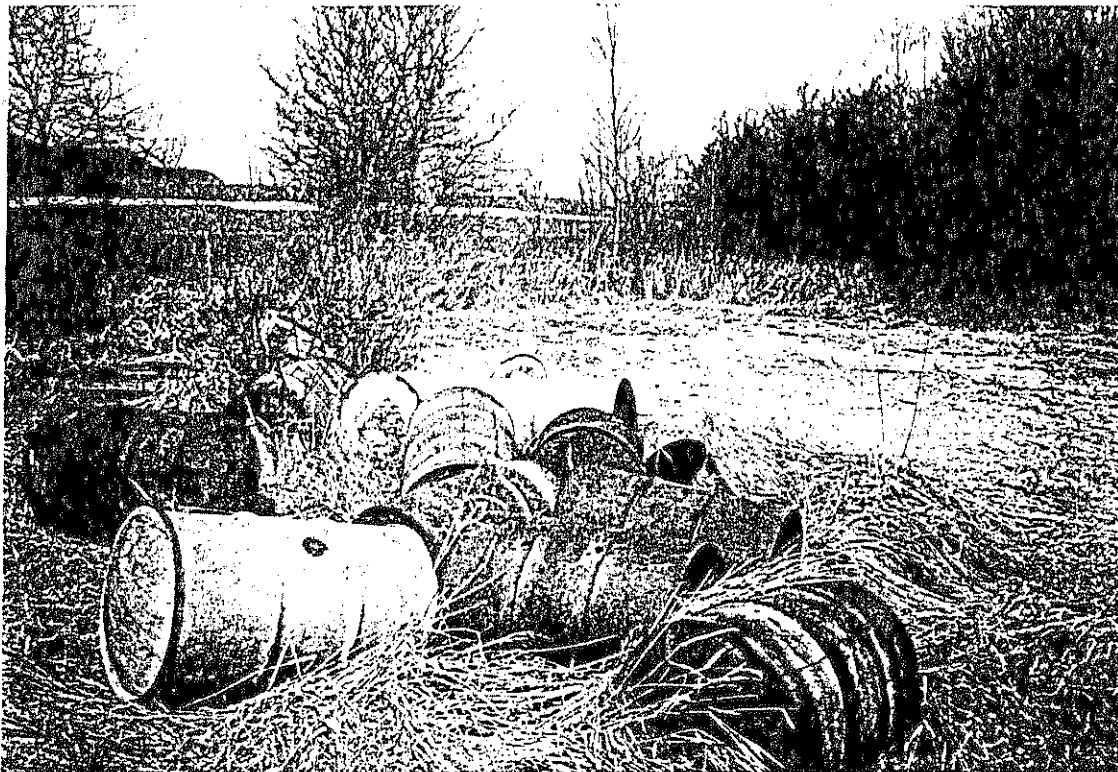


Figure 4 - Location 3. Smashed underground storage tank next to Ashley Creek.



Photograph 5 - Location 4. Grouping of 13, 55-gallon drums. Some have liquids in them.



Photograph 6 - Location 5. Single, mostly empty 55-gallon drum with metal debris.



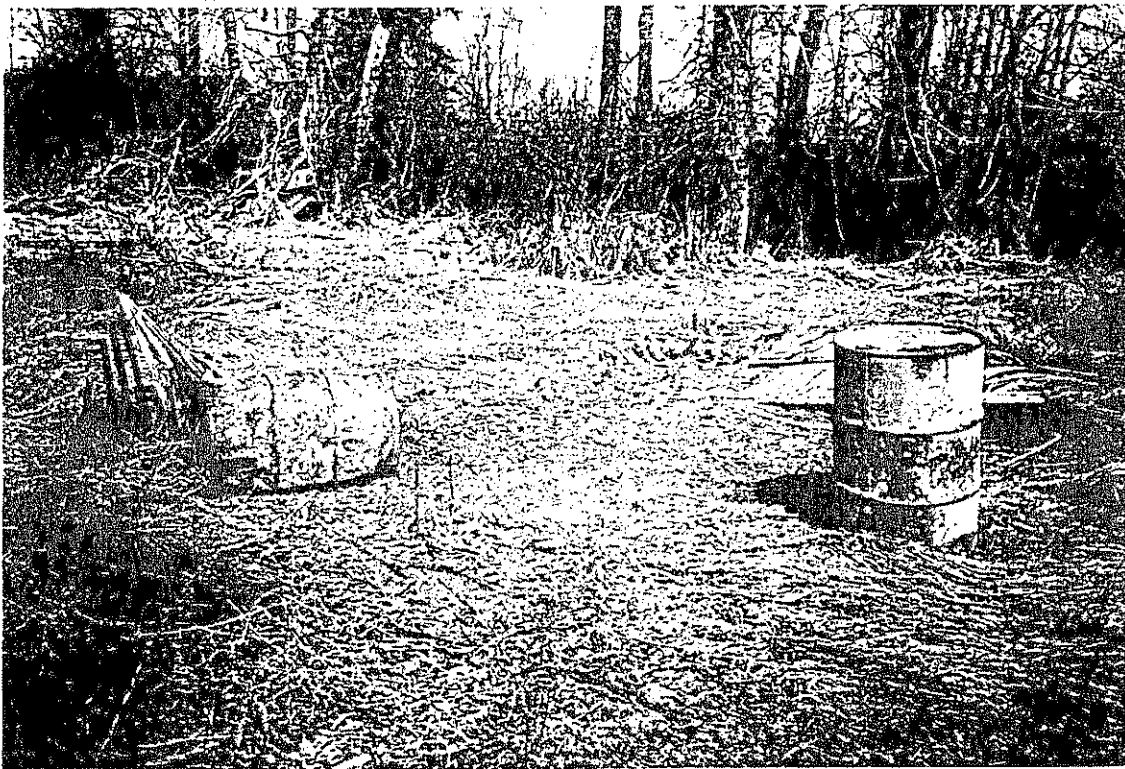
Photograph 7 - Location 9. Group of 12, 55-gallon drums. All contain some liquid. One drum is labeled Di-Chem DC-11. Leaking drum in middle of group.



Photograph 8 - Location 9. Leaking drum.



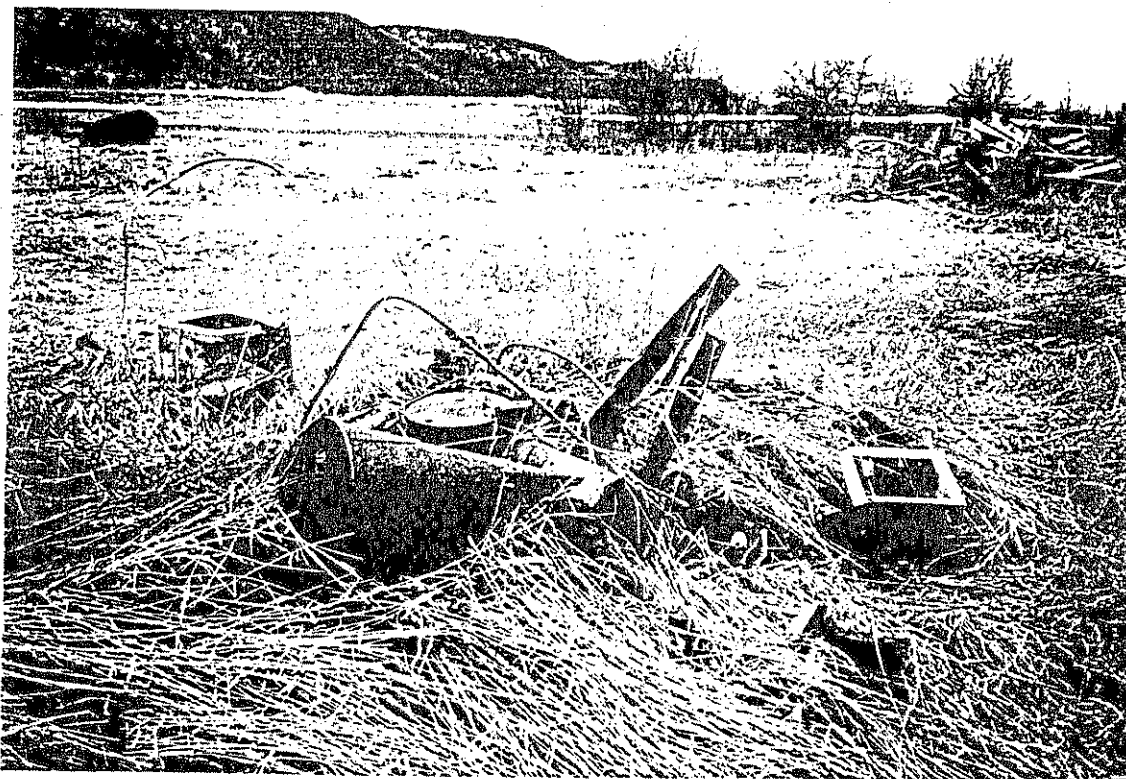
Photograph 9 - Location 10. Single, 55-gallon drum in brush.



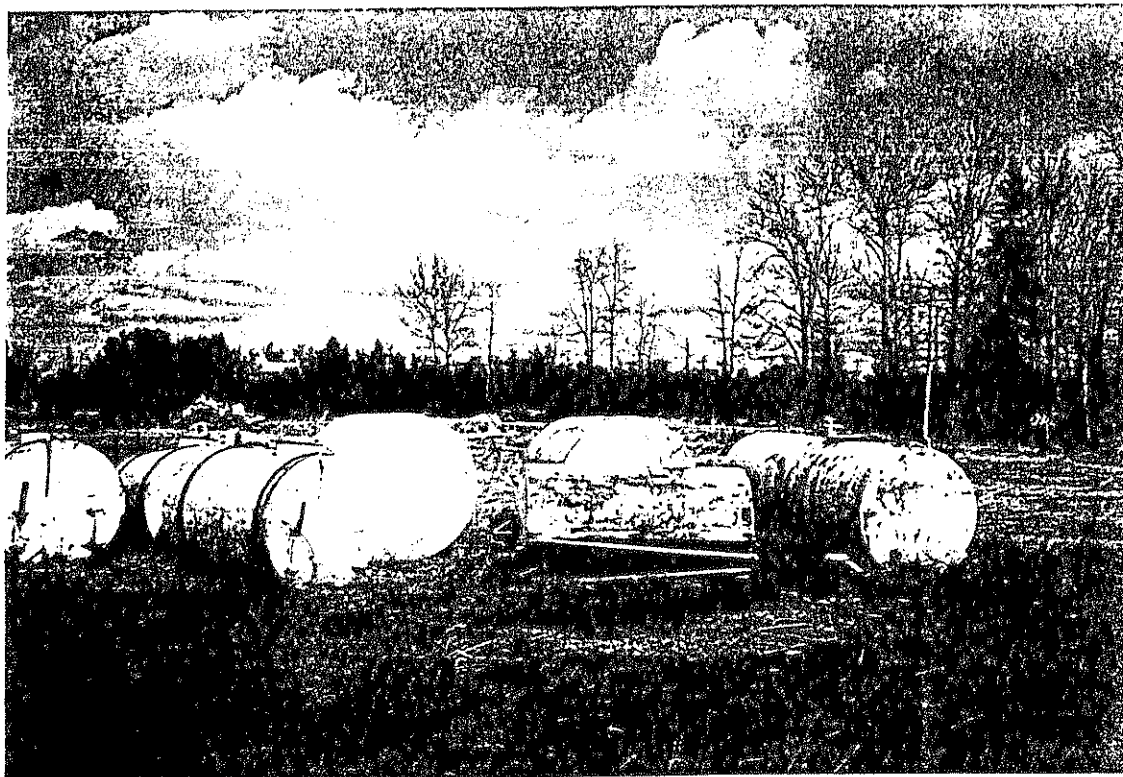
Photograph 10 - Location 11. Two, 55-gallon drums, one contains some liquid.



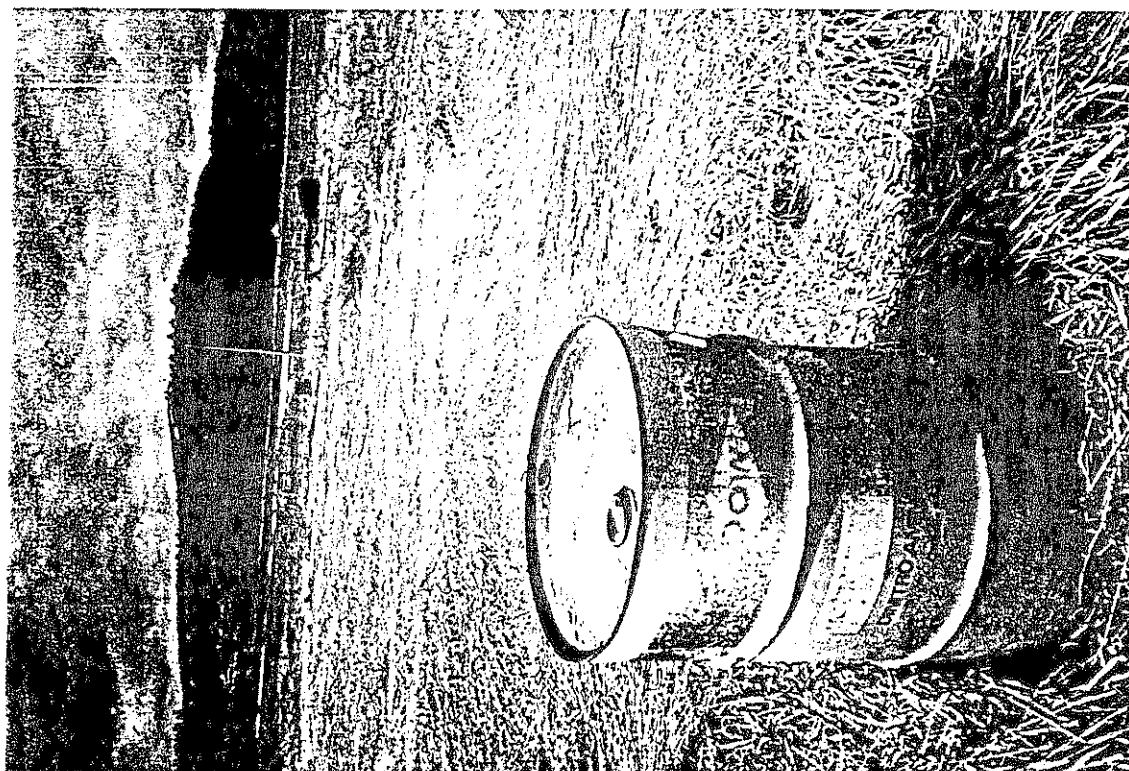
Photograph 11 - Location 12. Four, 20-gallon drums and one, 5-gallon pail. Upright drums contain some liquid. Debris piles and Ashley Creek in background.



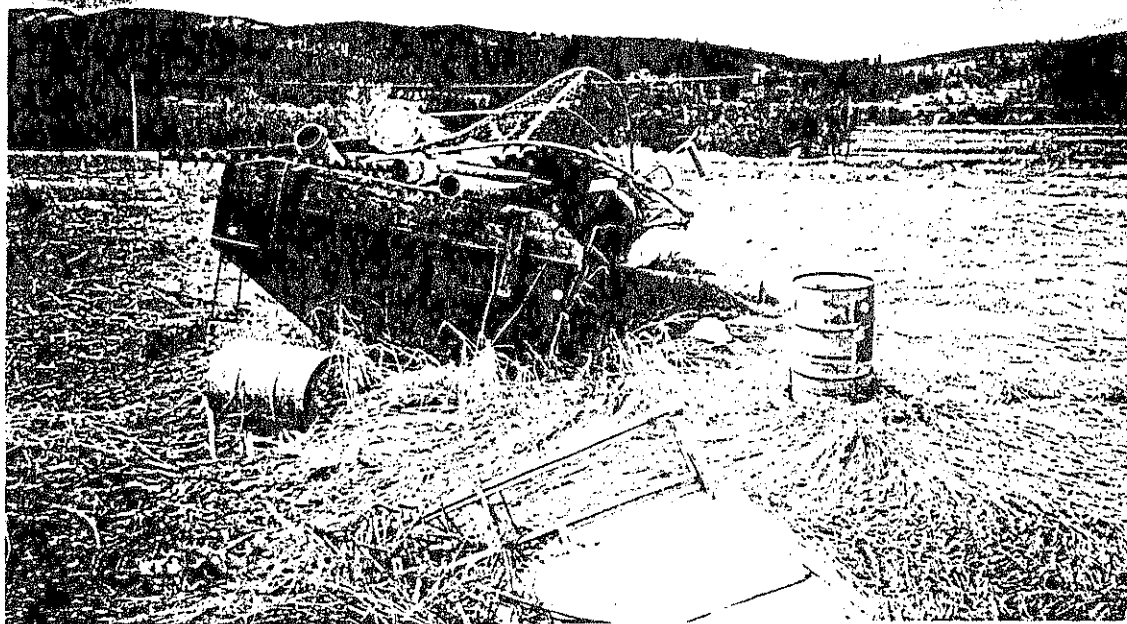
Photograph 12 - Location 13. Burnt debris pile with smashed drums and pails.



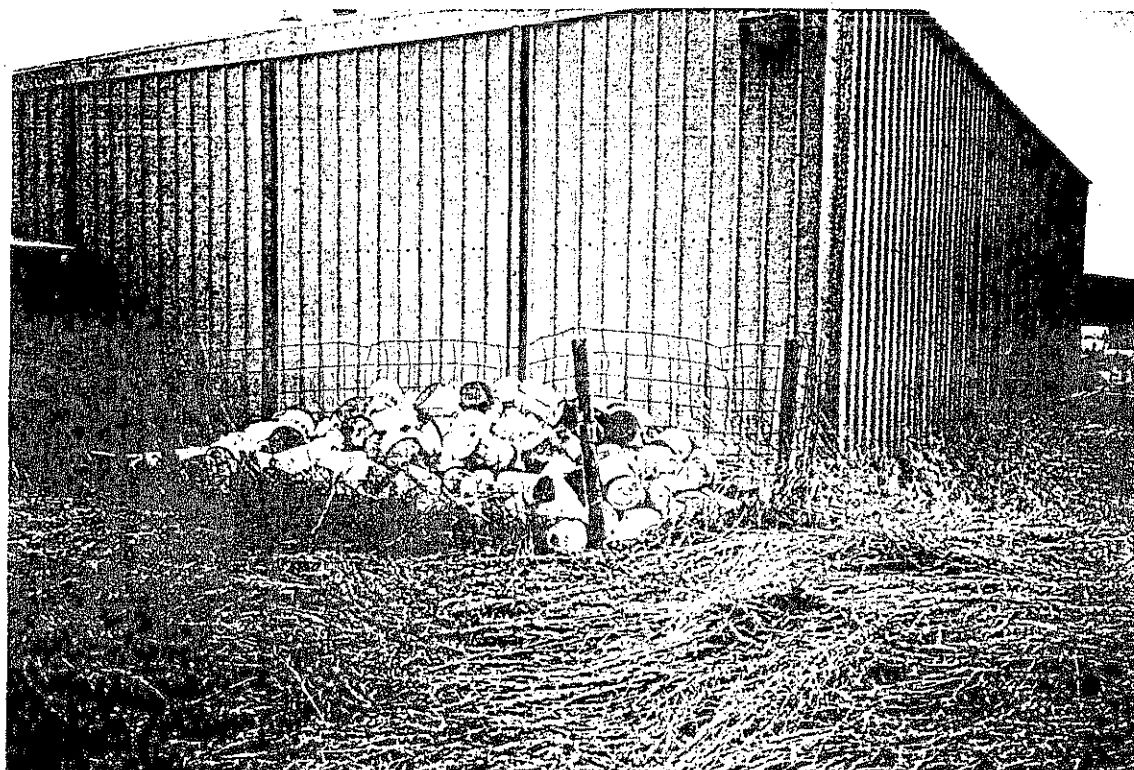
Photograph 13 - Location 14. Seven white storage tanks.



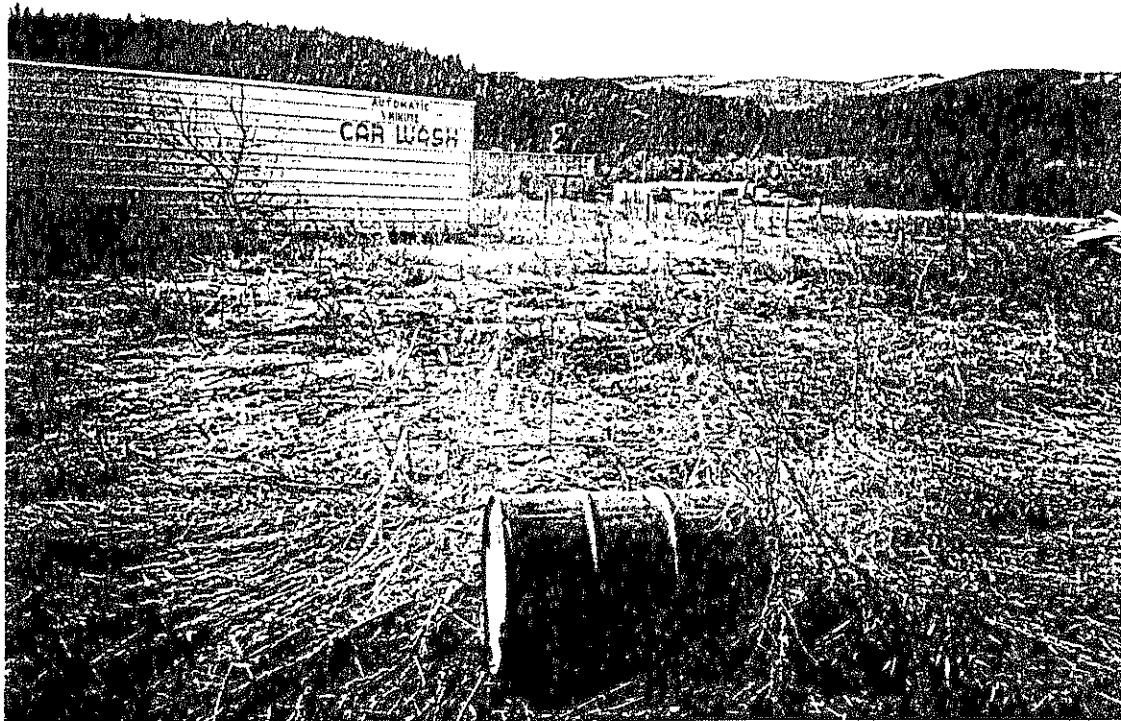
Photograph 14 - Location 15. Drum labeled Dinitro Amine Herbicide.



Photograph 15 - Location 15. Two, 55-gallon drums. Upright drum also shown in Photograph 14.



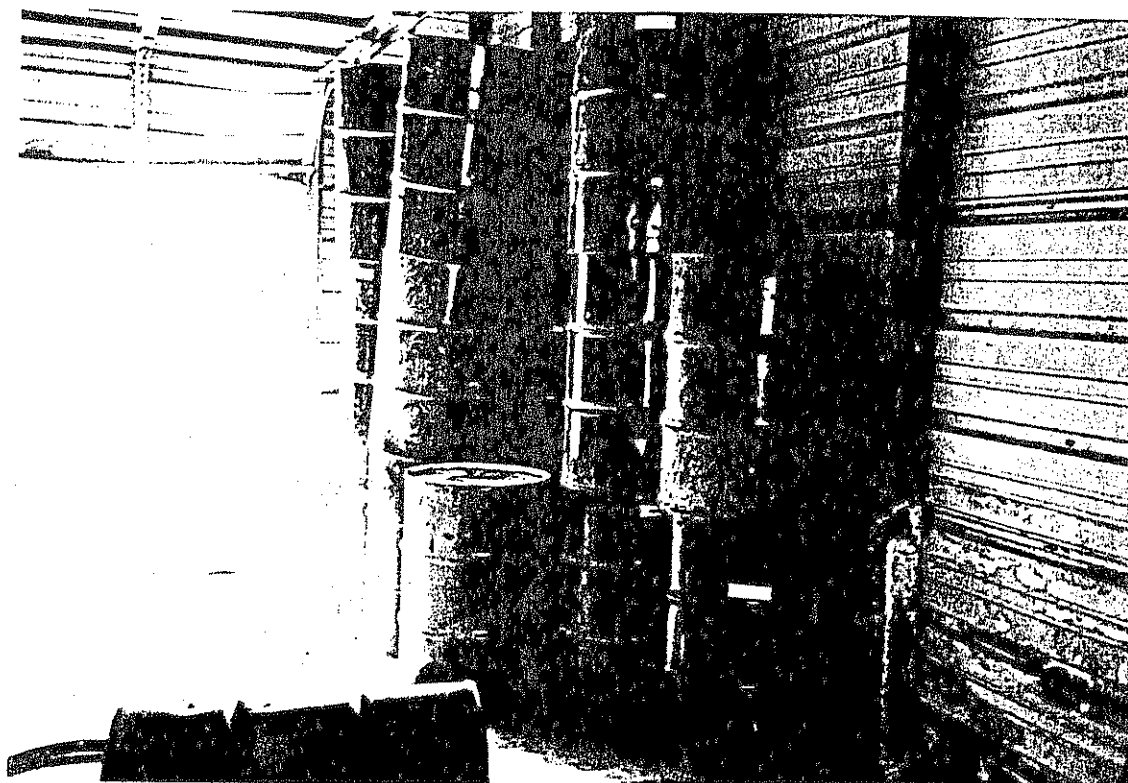
Photograph 16 - Location 16. Fenced in area with apparently empty 5-gallon pails with herbicide and pesticide labels. Also partially full 55-gallon drum at left end of picture. Behind shop.



Photograph 17 - Location 17. Empty 55-gallon drum.



Photograph 18 - Location 18. Drums stacked in old car wash shed.



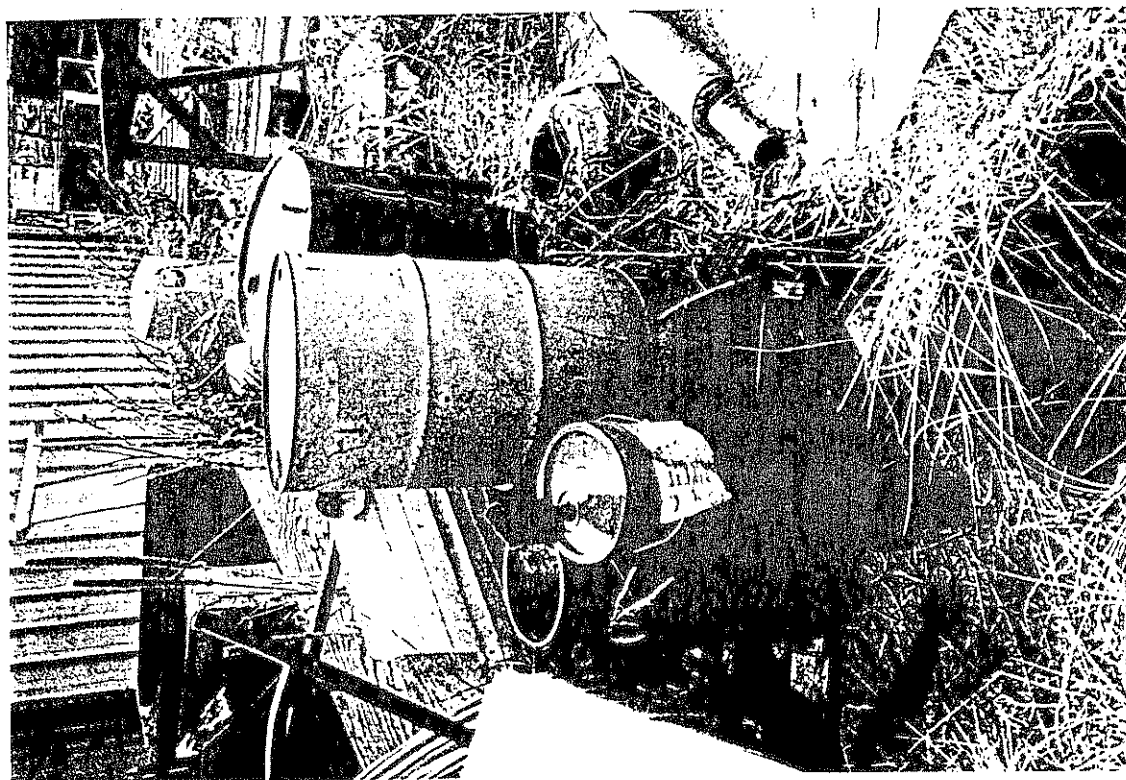
Photograph 19 - Location 18. Drums stacked in car wash shed.



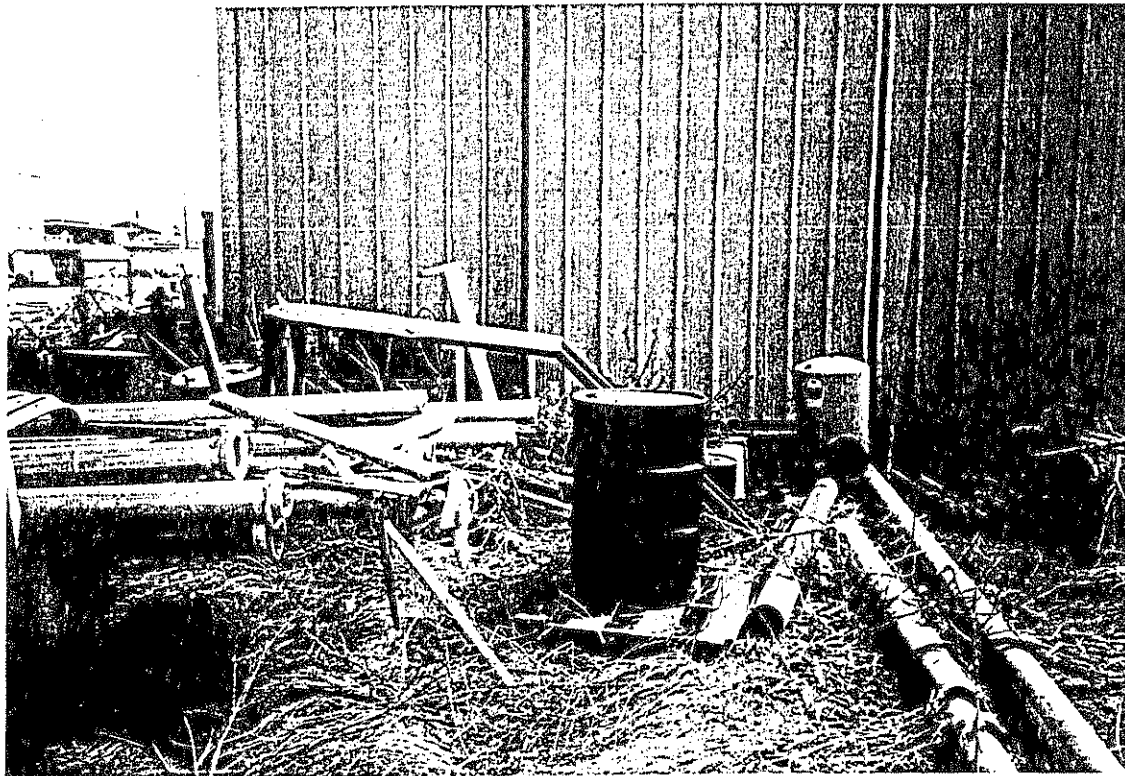
Photograph 20 - Location 18. Pails stacked in car wash shed.



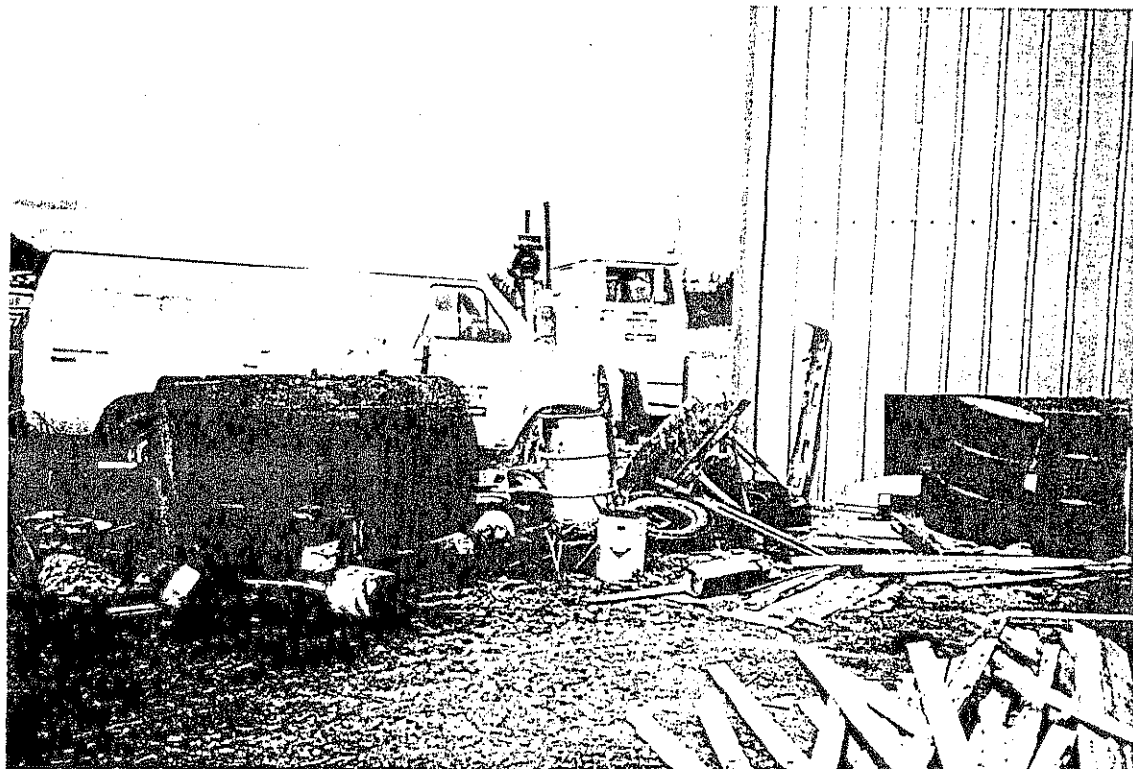
Photograph 21 - Location 19. Debris pile with 55-gallon drum, 5-gallon pails and 1-gallon containers.



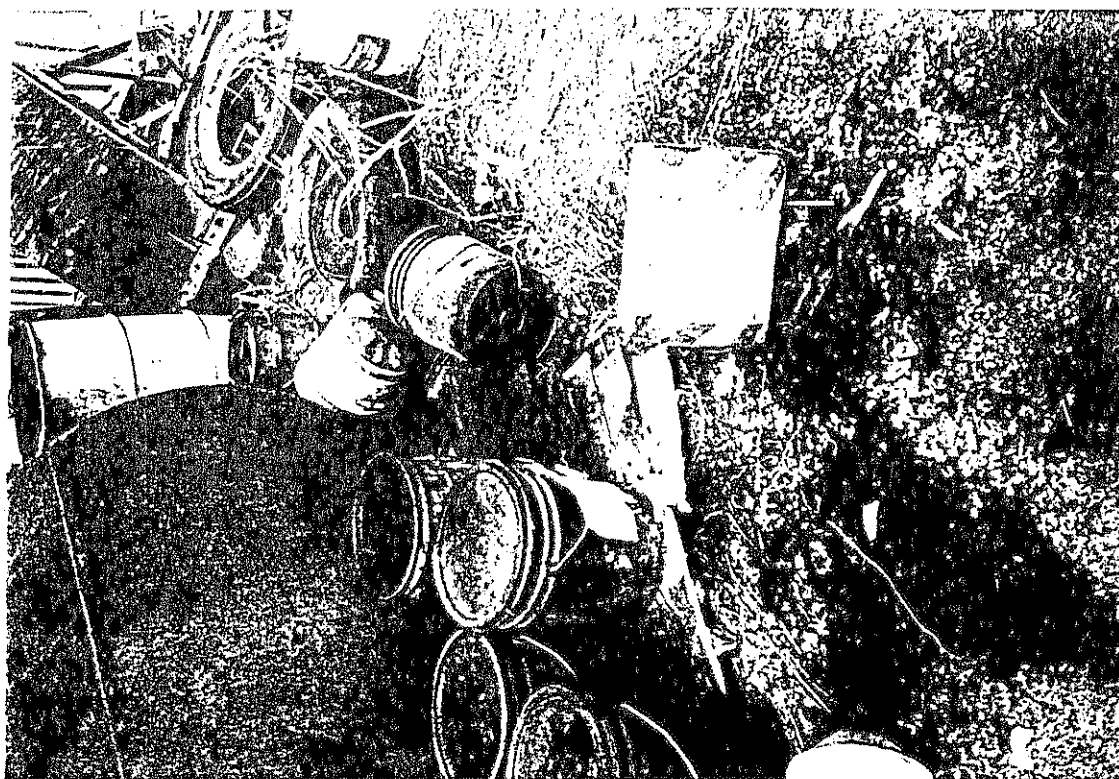
Photograph 22 - Location 20. Two partially full 55-gallon drums and two partially full 5-gallon pails. One pail is open topped. Oil staining evident on ground surface.



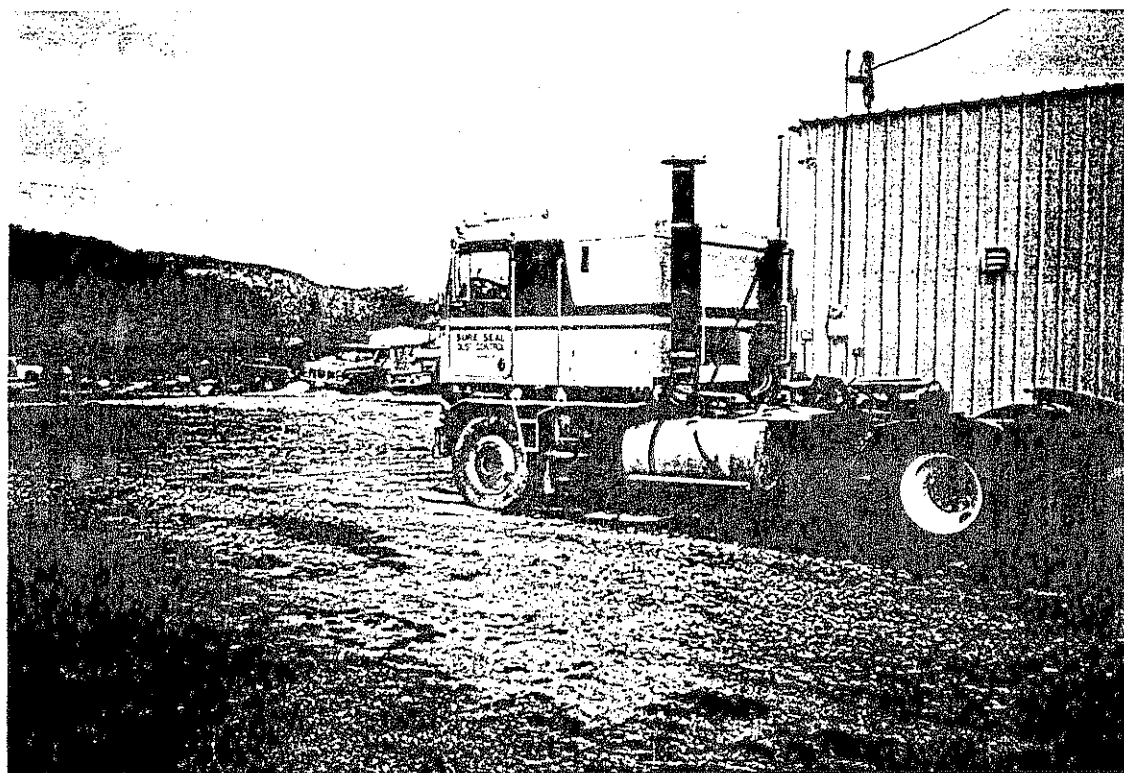
Photograph 23 - Location 21. One, empty, 55-gallon drum on pallet.



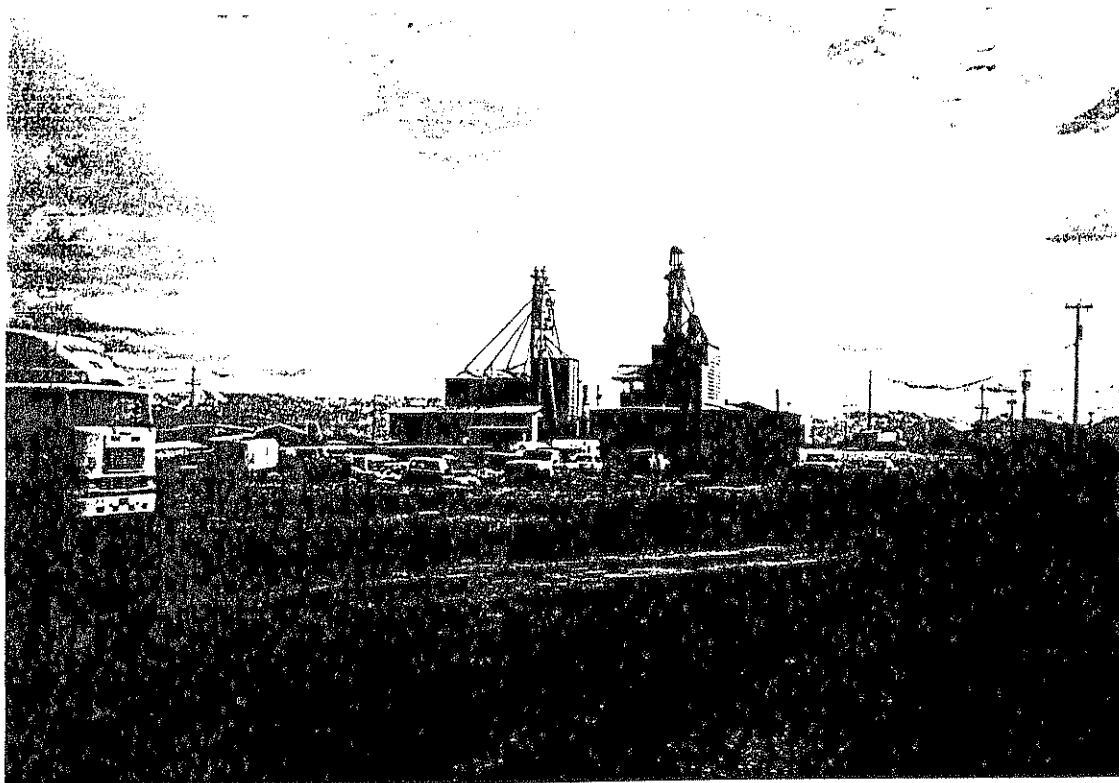
Photograph 24 - Location 22. Above ground storage tank with 55-gallon drums and 5-gallon pails. Oil staining evident on ground surface.



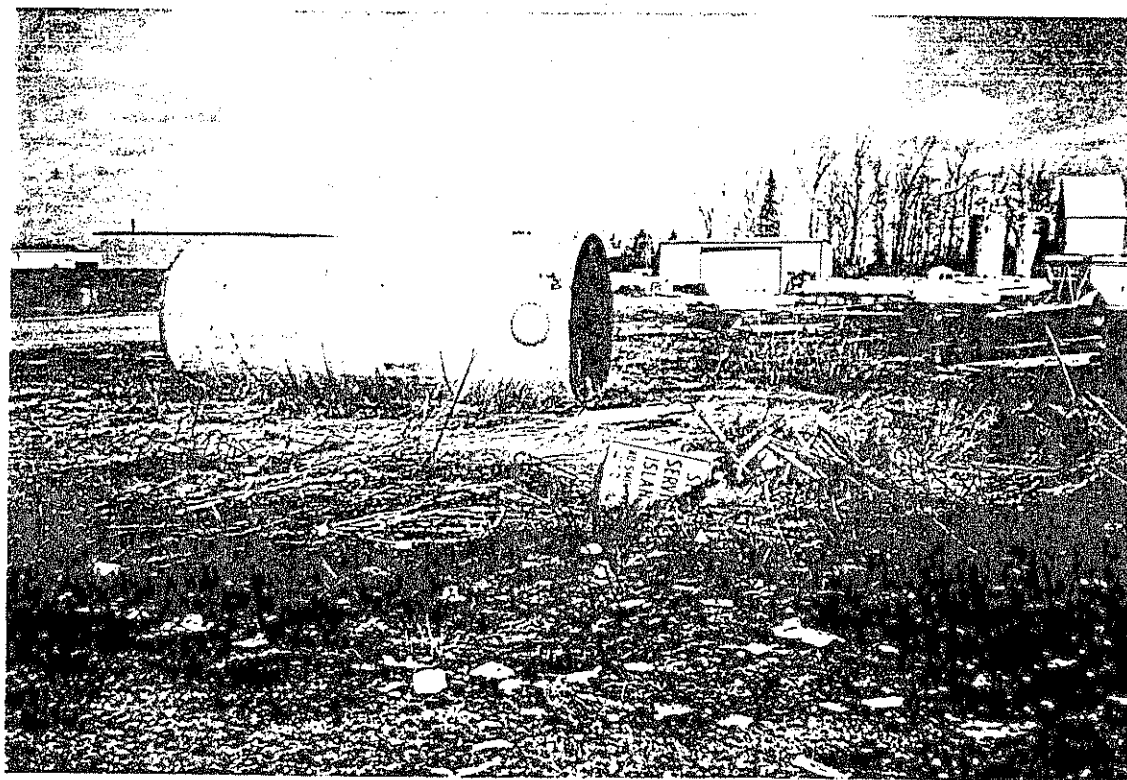
Photograph 25 - Location 22. Waste oil in open topped 5-gallon pail and oil staining on ground surface.



Photograph 26 - Location 23. Oil staining on ground surface. Truck leaking oil onto cardboard on ground surface.



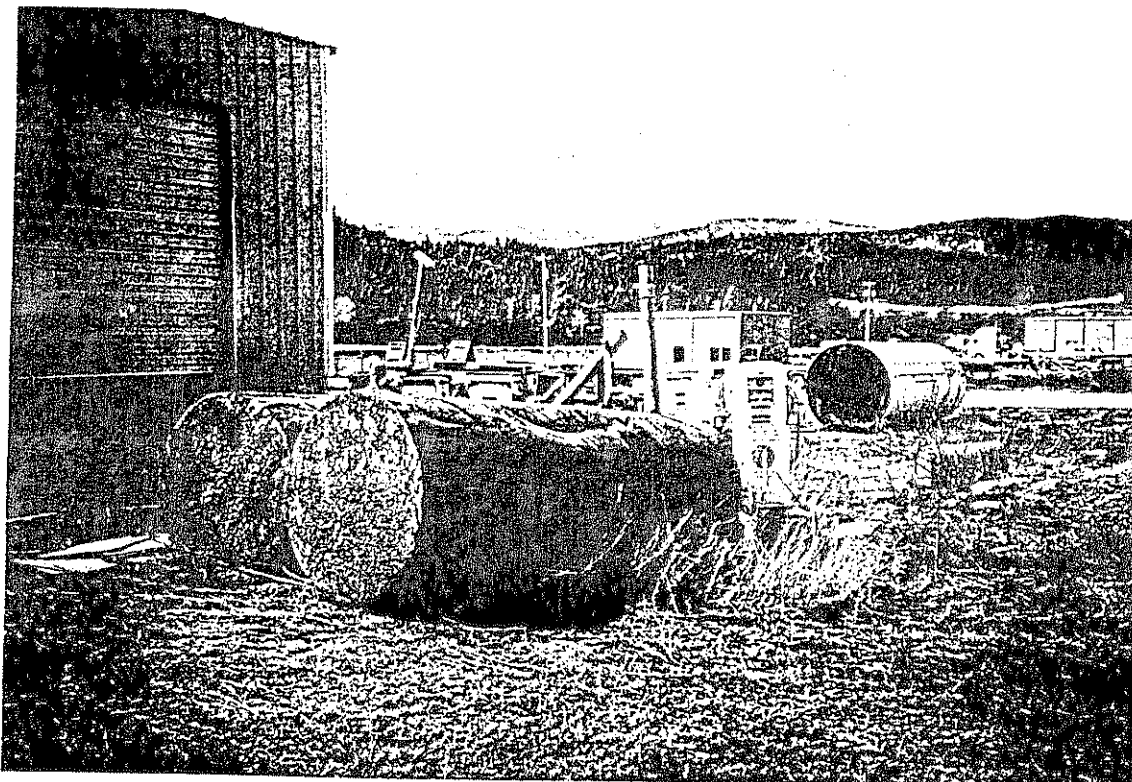
Photograph 27 - Location 24. Building B and debris pile in left center of photograph with mercaptan odor.



Photograph 28 - Location 25. Debris behind fuel station. Above ground storage tank on side.



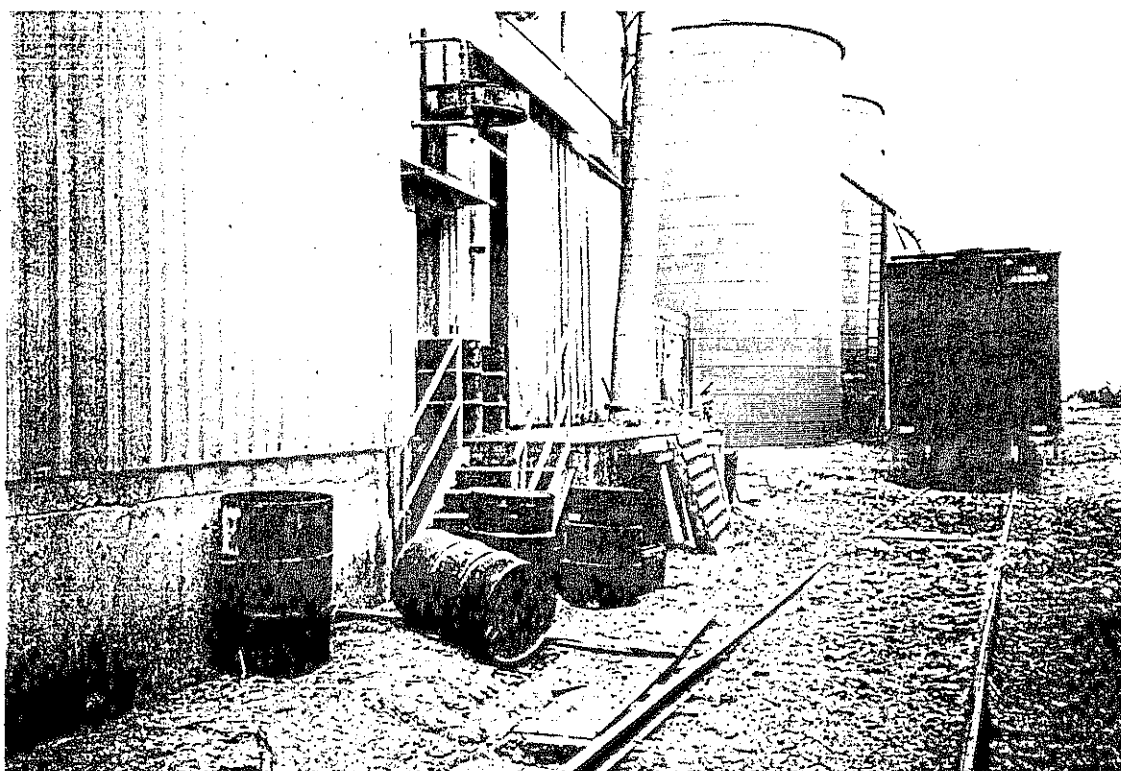
Photograph 29 - Location 25. Debris behind fueling station. Empty 55-gallon drum, old pumps.



Photograph 30 - Location 25. Old underground storage tanks behind fuel station.



Photograph 31 - Location 27. Liquid feed tank.



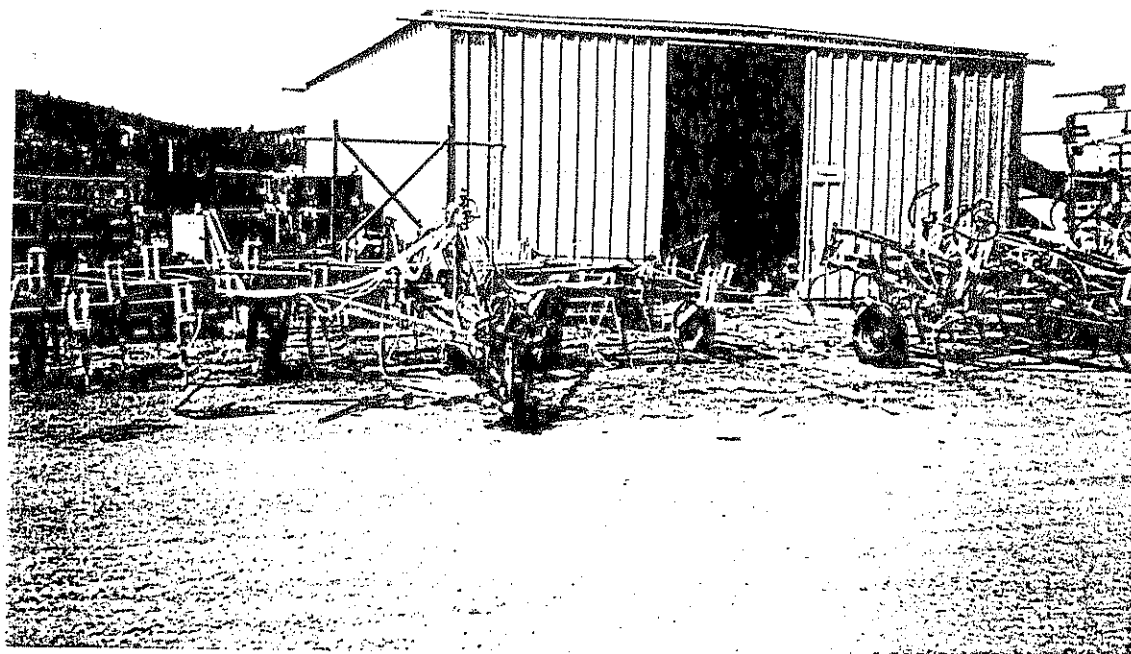
Photograph 32 - Location 28. Empty 55-gallon drums next to Feed Mill.



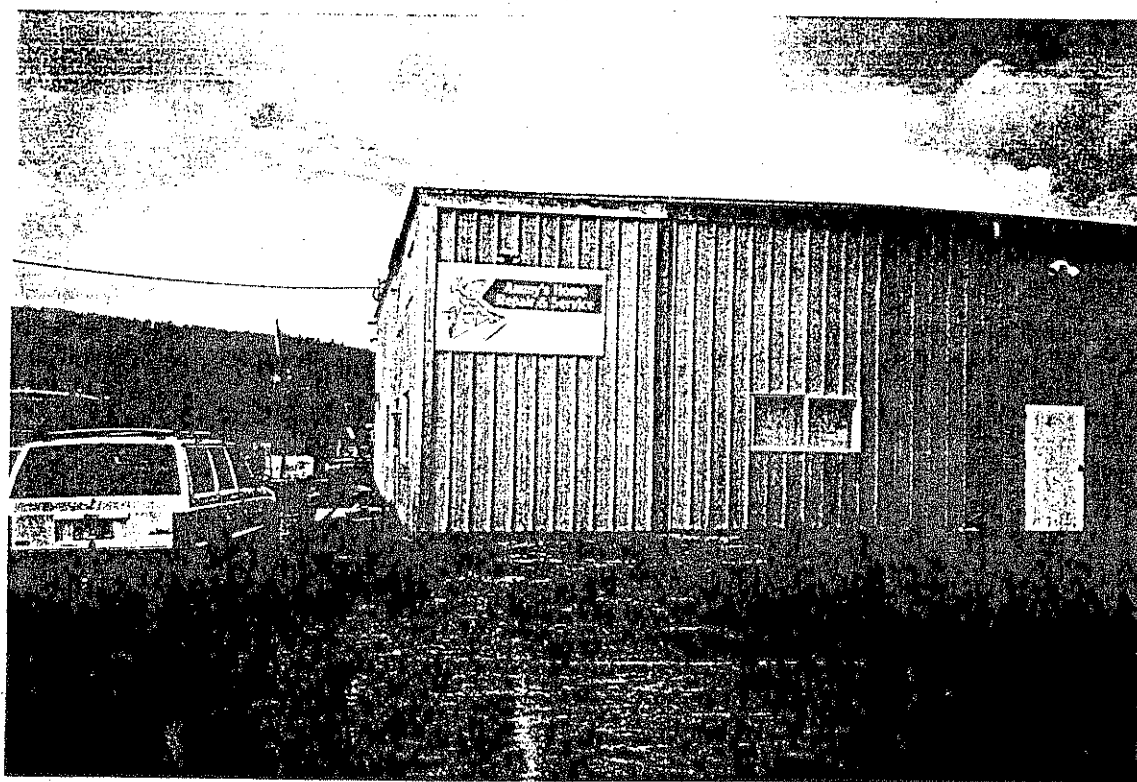
Photograph 33 - Location 29. No evidence of dumping. Probable fill area.



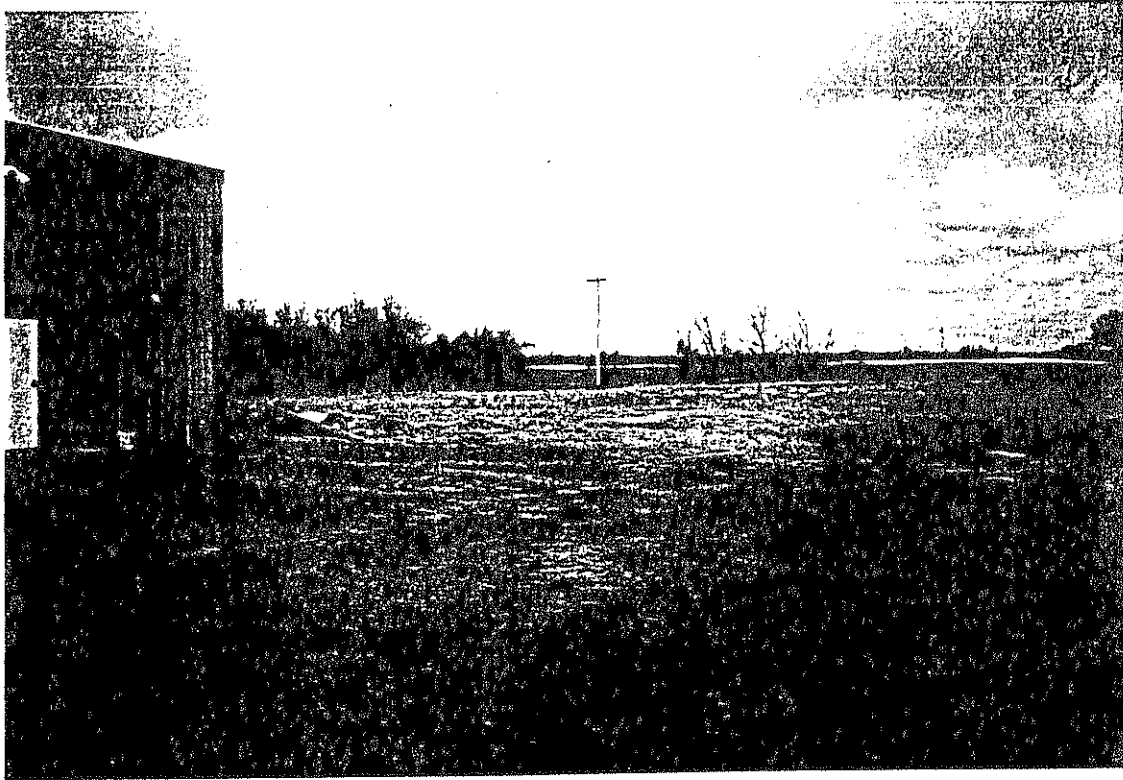
Photograph 34 - Location 29. No evidence of dumping. Probable fill area.



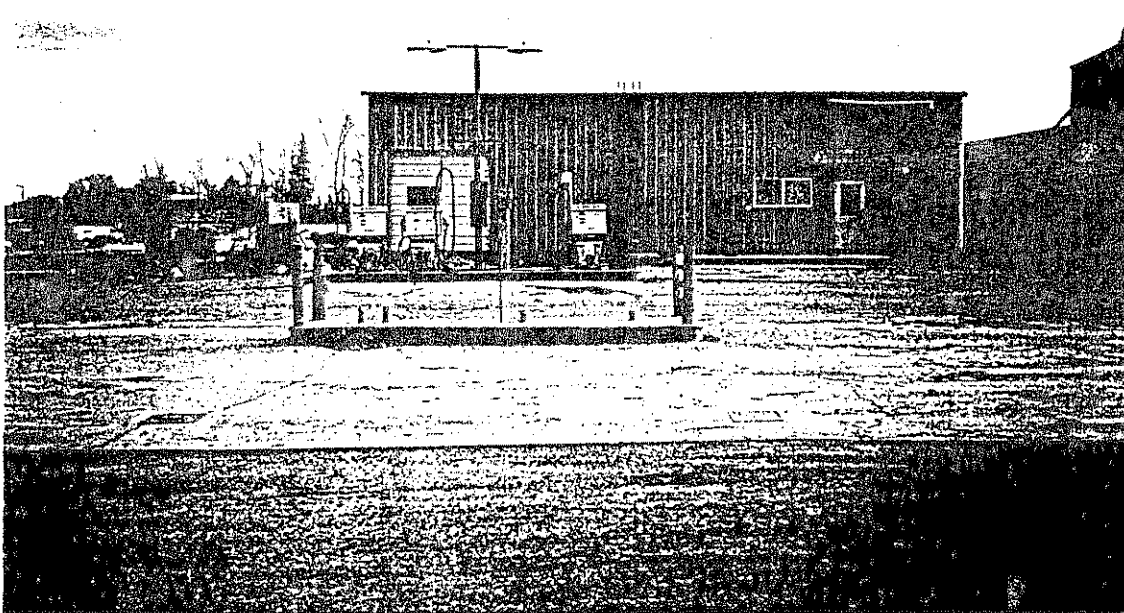
Photograph 35 - Front of Building A.



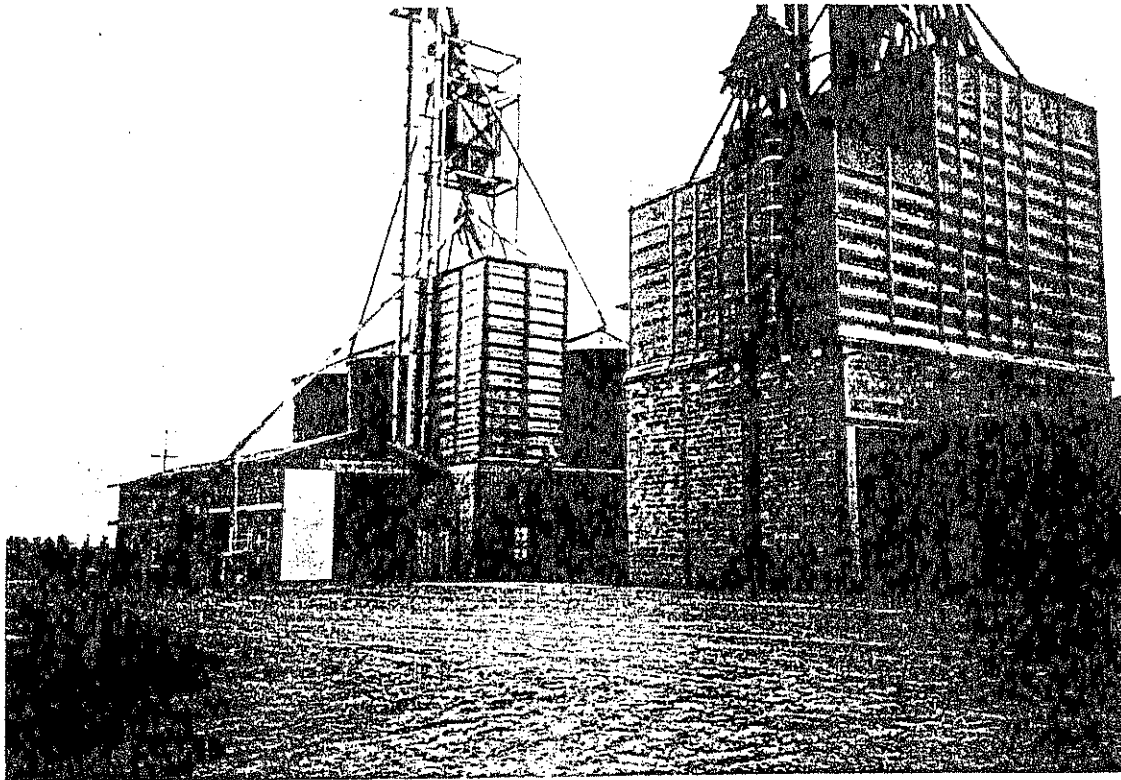
Photograph 36. Building B.



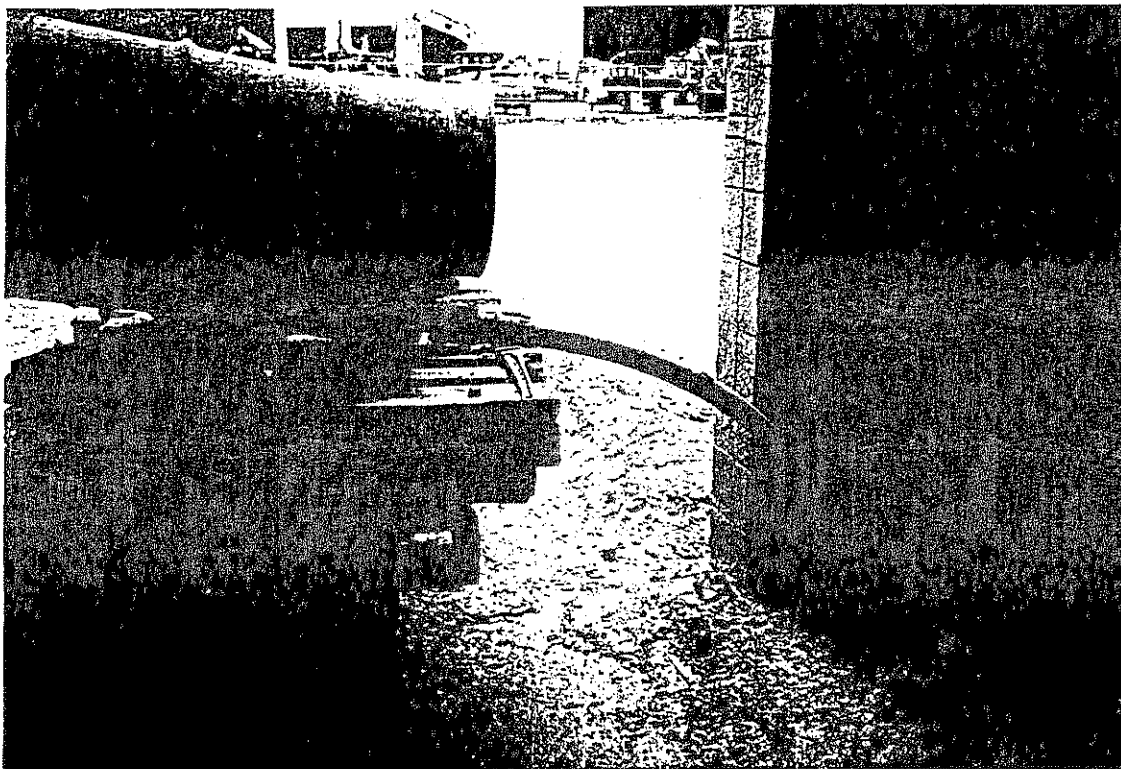
Photograph 37. East side of building B, view to north.



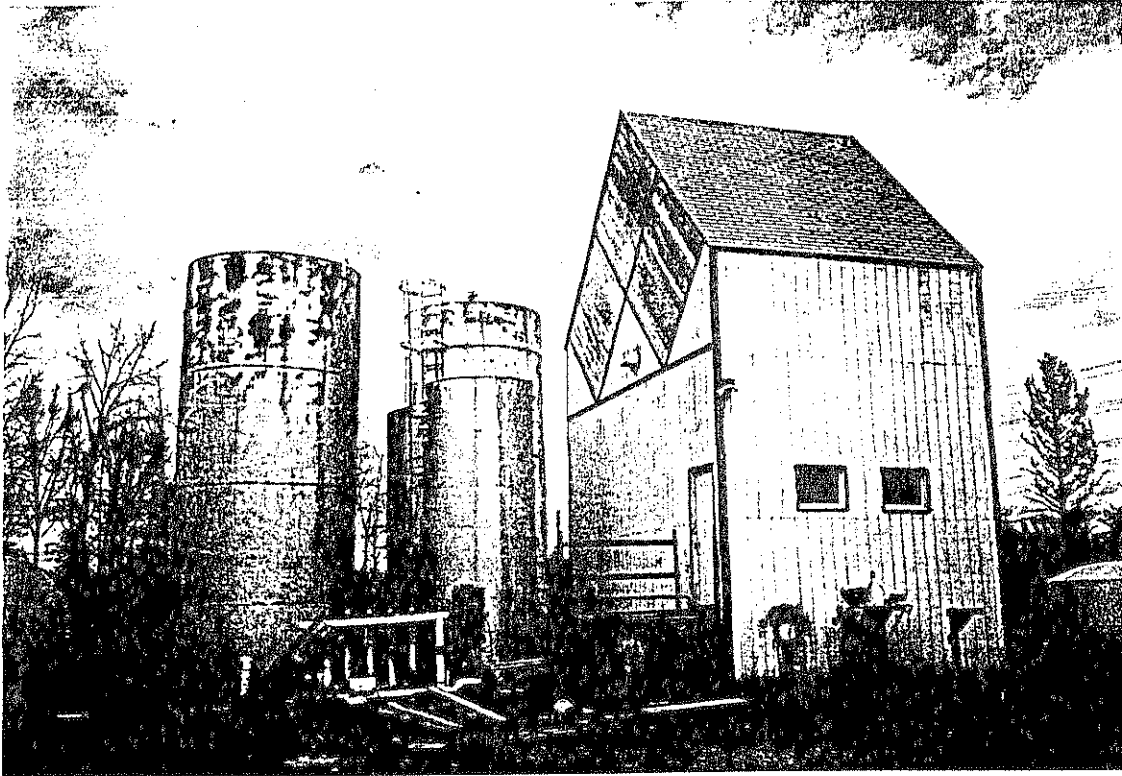
Photograph 38. Fuel station with pump islands. Underground storage tanks beneath concrete pad.



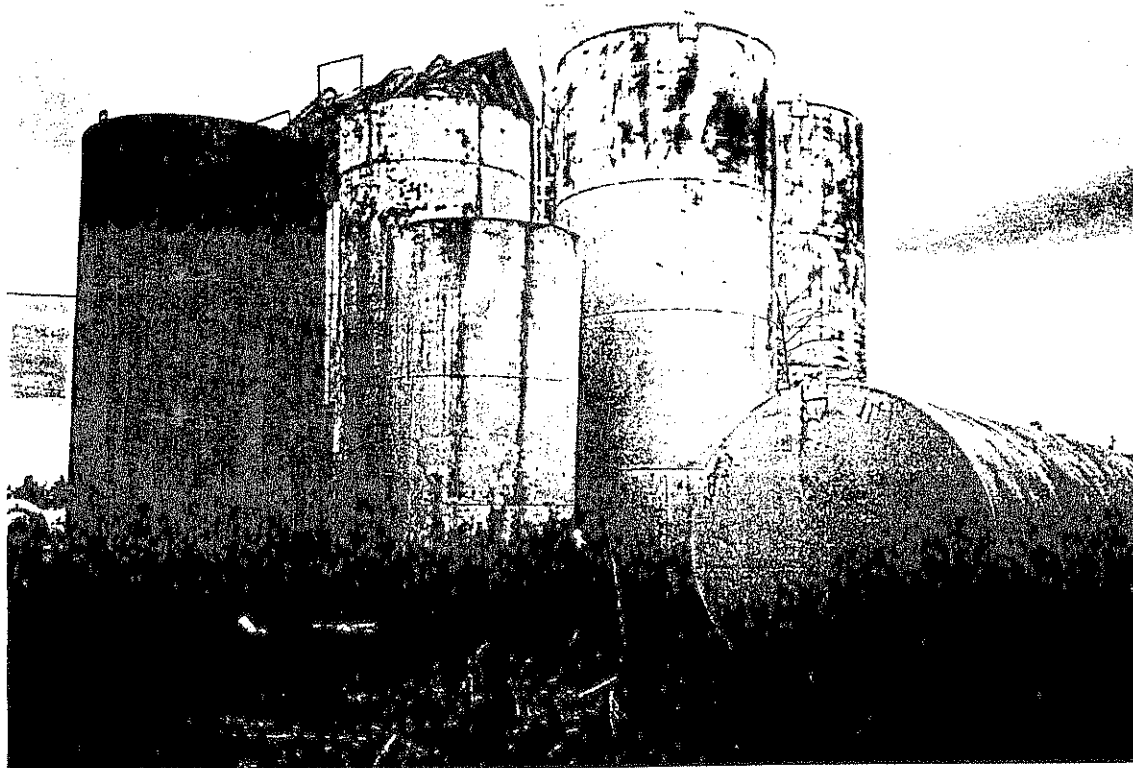
Photograph 39. Feed Mill and Grain Terminal.



Photograph 40. Drums of molasses emptying into underground storage tank.



Photograph 41. Old fertilizer plant.



Photograph 42. Old fertilizer plant showing ruptured tank.

Complaint/Spill Report
Montana Dept. of Environmental Quality

PLEASE FILL OUT AS
COMPLETELY AS POSSIBLE

Complaint Report? Y ☒ N ☐ Spill Report? Y ☐ N ☒
Method of Receipt: Phone ☒ Mail ☐ Field ☐ Other ☐

Report Completed By: Ed Thamke

Bureau/Program: ENFD

Report Date: 6/26/97

Time: 815

Phone: #2964

COMPLAINANT INFORMATION

Anonymity Requested? Y ☐ N ☒ Reply Requested? Y ☒ N ☐

Name: Cora Helm

772

Address: MT. Dept. Of
Transportation-Helena

Zip

Phone: 444-7659

Other Agencies Contacted by Complainant:

REPORTING INFORMATION

Responsible Party (person or company): Kalispell Feed & Grain/John Martin

Mailing Address: 3450 Highway 93 South, Kalispell, MT

Zip 59901

Contact Person: Cotter & Cotter Law Firm, P.O. Box 3425, Great Falls 59403
Phone: 761-8891

Phone 752-1564, 2394

Location of Complaint/Spill:

Incident County: Flathead

At mailing address noted above

Surface Waters Impacted: Y ☐ N ☐ If yes, name: Possibly Ashley Creek

Detailed Site: T ☐ R ☐ Section ☐ 1/4 Sec. ☐ GIS ☐

DESCRIPTION OF INCIDENT

Date Observed: Historic

Duration of activity:

Describe Complaint: R.P. has history of dealing in pesticides and there are allegations of spills and improper labeling for drums of material housed at the property. The business is still active; however, the property has been in litigation for 15 years and may be under receivership by Norwest Bank Corporation. MDT is interested in purchasing a portion of the property for the Highway 93 bypass project but does not want to inherit liability. Olympus Environmental (443-3087) has done a Phase 1 Site Assessment which is being sent to ENFD by Alan Stein after approval by their client - Steve Olsen (756-6059) representing Norwest. There is heightened concern over the environmental aspects of this site because it is proximal to Ashley Creek which flooded this spring and may have washed contaminants during the event.

Type and Amount of Pollutant: Unknown, possibly pesticides.

Approximate Area Impacted (include ground water): Unknown

Describe Cleanup Procedures Used:

MCA/ARM Violation Citation: MCA 75-5-605 WQA, possibly the Pesticide Act.

SUGGESTED ACTION/ACTION TAKEN	6/26 - Ed called Steve Baril at Dept. Of Agriculture to see if they had any familiarity with the site and to discuss regulatory authority.		
ENFORCEMENT DIVISION USE ONLY	Enforcement ID#: 1101	Complaint/Violation ID#: 1196	
Complaint Type: WQA	Assign: Thamke	Status: Active	Referred:

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting & Compliance Division
Air & Waste Management Bureau

FIELD INVESTIGATION REPORT

SITE: Kalispell Feed & Grain

EPA ID#: N/A

LOCATION: 3450 Hwy 93 South, Kalispell

DATE & TIME: August 14, 1997 1:15 p.m.

INSPECTION LENGTH: 2 1/4 Hours

CONTACT: John Martin

INSPECTION TEAM: Robert Reinke-MT DEQ

Ron Stewart- MT Department of Agriculture

PURPOSE: Complaint Follow-up

REPORT PREPARED BY: Robert Reinke

BACKGROUND: In June, 1997, the Department received a complaint from the MT Department of Transportation (MDOT). That complaint was based on a Phase I Environmental Site Assessment submitted by Olympus Environmental to Norwest Bank on 4/21/97. Olympus had found several trash/debris/drum sites around the property and had prepared a map (attached) and narrative of the sites. Some of the material found involved pesticide containers. Because of the possible pesticide issues, this inspection was conducted by inspectors from Departments of Environmental Quality and Agriculture.

Prior to this inspection, I telefaxed a description (as provided in the Olympus report) of the property to the Flathead County Plat Room. The Plat Room provided ownership information (attached) on four properties: 5CCA, 5CC, 6B, and 6BA. 6BA and 5CCA were shown as having a Warranty Deed to Kalispell Feed & Grain, 8 Moon Mountain Trail, Phoenix, AZ, 85023, on 5/3/76. 6B and 5CC were shown as belonging to Long Machinery. On 8/11/97, I went to the Long Machinery offices in Missoula and spoke with Dave Barta. Mr.

Barta supplied me with copies (attached) of site plans showing the Long property is immediately south of the Kalispell Feed & Grain (KFG) site.

Department of Agriculture records show KFG is owned by John Martin who maintains residences in Arizona and Missoula. Mr. Martin rents portions of the property to different entities. The main portion (related to feed and grain operations) of the site is rented by Clifford Swallow dba Swallow's Grain Service (telephone-755-0747).

The morning of this inspection, I telephoned Michael Cotter, Mr. Martin's attorney, (761-8891) to obtain access to the property. Mr. Cotter advised me he had no objection to our inspection, but asked to contact Mr. Martin prior to our inspection. He stated he would telephone either Stewart or myself before lunch.

RESULTS OF INSPECTION: (NOTE-numbered and lettered site references are the same as used in the Olympus report.) (NOTE-this report deals with non-pesticide related containers/stains. See Stewart's report for pesticide related issues.)

By 1:00 p.m., we had not heard from Mr. Cotter. We went to the KFG site to see if he had called them. While we were standing in the parking lot, we were told Mr. Martin was on the telephone in the KFG office. I spoke with Mr. Martin. After I advised him we were following up on the information in the Olympus report, he gave us permission to access the entire property. Mr. Martin also gave his Missoula address and telephone as: 5195 Upper Miller Creek Road, Missoula, 59803, tel-251-2584. Mr. Martin advised me he had purchased KFG in 1981 and all of the trash/debris/drums had been present when he purchased the property. We presented our credentials to Laurel Yardey, Swallow's Grain Service Bookkeeper, and proceeded to inspect the outbuildings and grounds.

The property is bounded on the west and northwest by Ashley Creek. The property begins to drop in elevation behind the Fuel Station and the Grain Terminal. A driveway extends from Building B to the Shop. The land west and north of that driveway is very level.

We first went to Building B where we talked with James Bingeman, employee. Building B is a simple, metal building with an earthen floor. We observed the trash/debris pile at Site 24 was larger than in the pictures in the Olympus report. Mr. Bingeman provided the

following information:

- Building B now is occupied by Dirty Deeds, owned by Dan O'Neil.
- The building was formerly occupied by Tim McGillan dba McGillan The Metal Man. McGillan now operates at another location as Kalispell Art Casting.
- Dirty Deeds is an "odd jobs" enterprise which does home improvements, concrete work, mechanical work, or other, unnamed tasks. Most of the work is conducted off-site, but automobile mechanic work is done on-site. There were several cars undergoing repairs parked to the west of the building.
- Dirty Deeds had been in the building for approximately five months.
- The area from driveway to the creek had been flooded by Ashley Creek from April through mid-June. The water in Building B had been up to knee-deep. 1997
- Ammy's Home Repair (Building C) B-5 had left the site as a result of the flooding. Ammy's had left an old house trailer between Buildings B and C. Mr. Martin had instructed Dirty Deeds to dismantle/demolish the trailer and place it onto the trash pile at Site 24 with the intent of burning the entire trash pile at a later date.
- The Shop Building had been occupied by Danny Stevens Trucking, but Stevens had left the site due to the flooding.

B-6 I did not observe any soil staining or used oil containers around the Dirty Deeds shop.

We then walked to Building C which was locked and vacant. On the north side of the building, I observed a green, 55-gallon drum with open bungs. The drum bore product markings for methanol and contained about 5 gallons of an odorless liquid. On the west side of the building, I observed a closed, blue, 55-gallon drum without meaningful markings. The drum was about 3/4 full of an unknown liquid. I observed a small, black, oily stain on the ground at the base of the drum. NOTE-neither drum was mentioned in the Olympus report.

We walked directly from Building C to Building A B-7. Building A is an Irrigation Shop operated by Clifford Swallow. An old car wash building, which is referred to as Location 18 in the Olympus report is northwest of Building A. There were several empty drums in the car wash. I observed the following around Building A:

- Immediately west of the rear door:

- ▶ A full, closed, unmarked, black, 55-gallon drum on a wooden pallet with black, oily stains on the pallet and underlying soil.
- ▶ Several 5-gallon cans nested to form a vertical column. The cans had black, oily stains on them and the ground in a area approximately 2' by 8' had a heavy, black, oily stain.
- At the northwest corner of the building:
 - ▶ An unmarked, black, 55-gallon drum with the larger bung open. This drum was about 1/2 full. I probed the contents with a dried weed and it appeared to be used oil.
 - ▶ An unmarked, green drum on a wooden pallet. This drum was almost empty. There was a thick, black, oily "sludge" around the larger bung. There was a black, oily stain approximately 4' by 4' on the soil beneath the drum.
 - ▶ A 30-gallon container bearing a Land Master pesticide label (see Stewart's report for details). Stewart reported it bore a 1986 date on the label.
- Along the north side of the building:
 - ▶ A closed, 3-gallon bucket of GUNK Hydoseal carburetor cleaner sitting on the soil next to a trailer (see photo #081497JM-10). The container emitted a distinct odor of methylene chloride. (Note-The MSDS for Hydroseal lists methylene chloride as a major constituent.) A worker at the Irrigation Shop had no knowledge of the reason for the bucket to be in that location.
- At the northwest corner of the building:
 - ▶ An open, unmarked, 5-gallon bucket on a piece of plywood. The liquid in the bucket had a black, oily appearance.

Between Building ^{B-7} A and the Shop Building ^{B-6}, I observed an area of soil, about 6' by 8', which was heavily stained with a black, oily substance.

Southwest of the Shop Building, which was locked and appeared to be vacant, I observed the following:

- Two closed, unmarked, 30-gallon drums with bulged lids.
- Two open, 5-gallon cans partially full of a black, oily liquid. One of the cans was a Berryman Carburetor Cleaner can. (Note-Berryman Carburetor Cleaner contains methylene chloride.) An area of soil, approximately 6' by 8', beneath

these cans had a heavy, black, oily stain.

- An unmarked, white, 55-gallon drum with an open bung. This drum was full of what appeared to be used oil with an oily residue on the drum's side.

Numerous old pesticide containers were randomly piled in a fenced area immediately north of the Shop Building (see Stewart's report).

We walked to each of the numbered locations referenced in the Olympus report. Several of these locations held either general trash or empty, rusted-out drums. We were unable to locate drums at two of the sites specified by Olympus, but were able to identify where they had been by lack of vegetation and soil depressions. We assumed they had been washed away by the flood since we did not see any evidence of vehicle traffic in the area. We did find containers, with contents, as follows:

- Location 9:
 - ▶ Twelve, closed, 55-gallon drums (see photos 081497JM-12 & 13).
 - ▶ One of the drums had been identified by Olympus as being marked with a product label for Di-Chem DC-11. This drum was lying on its side. Closer examination showed the product to be DC-41. After the inspection, Stewart obtained an MSDS (attached) for the product.
 - ▶ A red, upright drum had a dark, oily liquid on the top. There was an orange/pink deposit on the side of the drum near the top. There was a black, oily stain on the soil/vegetation at the bottom of the drum.
 - ▶ A black, upright drum had a bulged end.
 - ▶ A black, almost upright drum had an orange/pink deposit on the side of the drum near the top.
 - ▶ The area around this drum site had an odor similar to rancid, used cooking grease.
- Location 12-Contained two, full, unmarked, orange, metal, 15-gallon drums with seals still on each of the bungs. There was no evidence of discharge.
- Location 10:
 - ▶ Two, empty, blue and green, 55-gallon drums.
 - ▶ An empty, 15-gallon drum, similar to the two full drums observed at Location 12, lying on its side. This drum had several pin holes in the lid. I did not detect an odor or note visible soil staining.
- Location 15:
 - ▶ A 30-gallon product drum for Dinoseb pesticide. This

drum had the smaller bung open and was about 1/2 full.
(See Stewart's report)

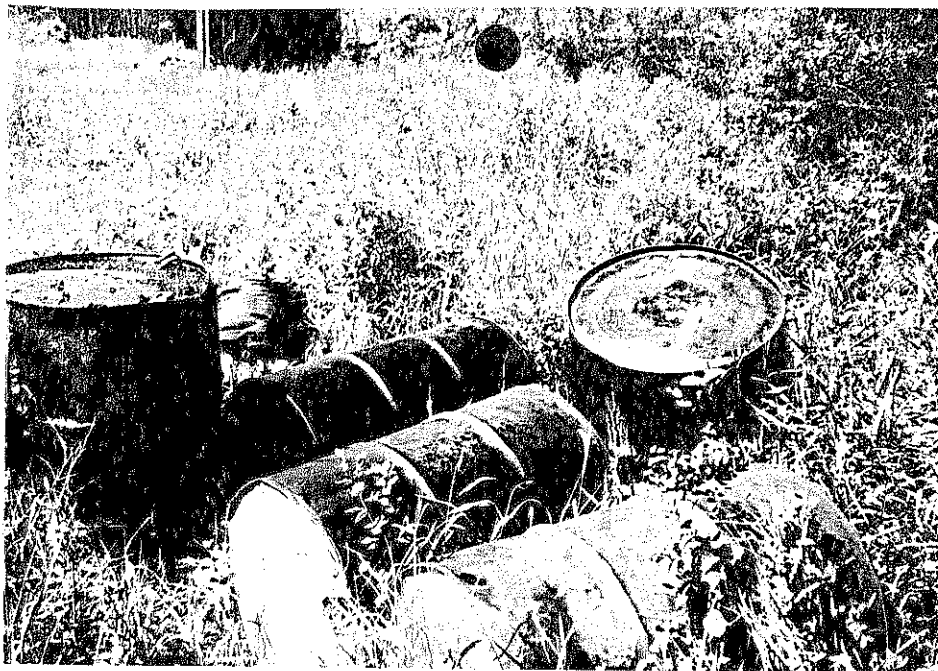
Seven 5-gallon cans. Five of these had no markings and unknown contents. One, bearing a product label for Eptam, had a thick "sludge" in the bottom. One, bearing product markings for Berryman Carburetor Cleaner, contained approximately 1" of "sludge" with a strong methylene chloride odor.

WASTE MINIMIZATION REVIEW: N/A

RECOMMENDATIONS: Refer matter to Ed Thamke, DEQ Enforcement Division, for coordination.

9/17/97
Date of Inspection Report

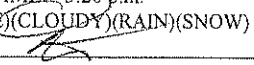
[Signature]
SHW Specialist

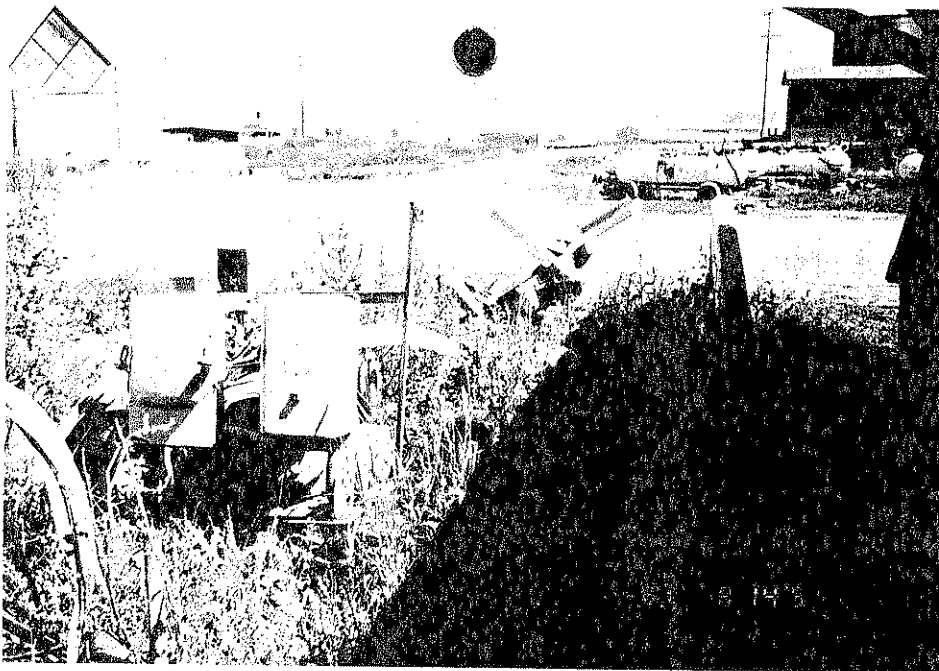


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Detail of drums shown in photo #081497JM-12.
NOTE-1) liquid on top of red drum, 2) pink/orange deposits
on sides of red drum and upright black drum, 3) black
oil/plant staining at base of red drum.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~3:20 p.m.
WEATHER (SUN) (HAZE) (CLOUDY) (RAIN) (SNOW)
PHOTOGRAPHER (sig.) 
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-13

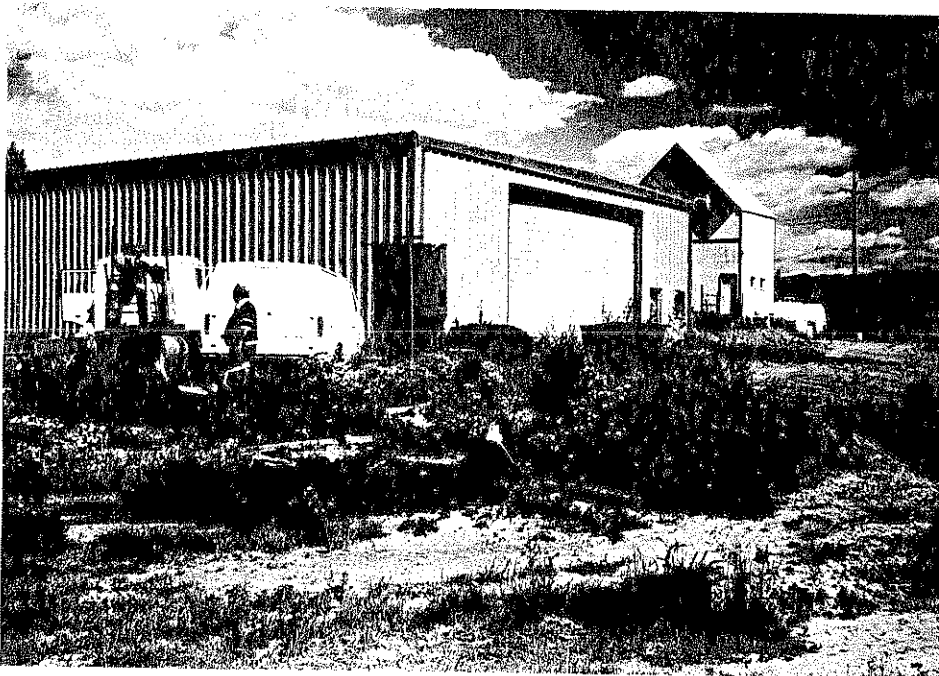


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Northeast corner of Irrigation Building. Note-
gold-rusted lid of carburetor cleaner bucket below right hand,
white box.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~2:30 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) _____
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt 1 Hour
PHOTO# 081497JM-10



MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Looking toward "shop", formerly rented by
Danny Stevens Trucking, from Irrigaion Building. NOTE-
large oily stain on soil and black tank next to rusted, vertical
tank.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~2:45 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) _____
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-11

MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Drums at location 9 of Olympus report. Ron
Steward examining markings on Di-Chem drum. NOTE-
standing liquid on top of red drum, bulged black drum on
right side of collection.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~3:15 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) _____
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt 1 Hour
PHOTO# 081497JM-12




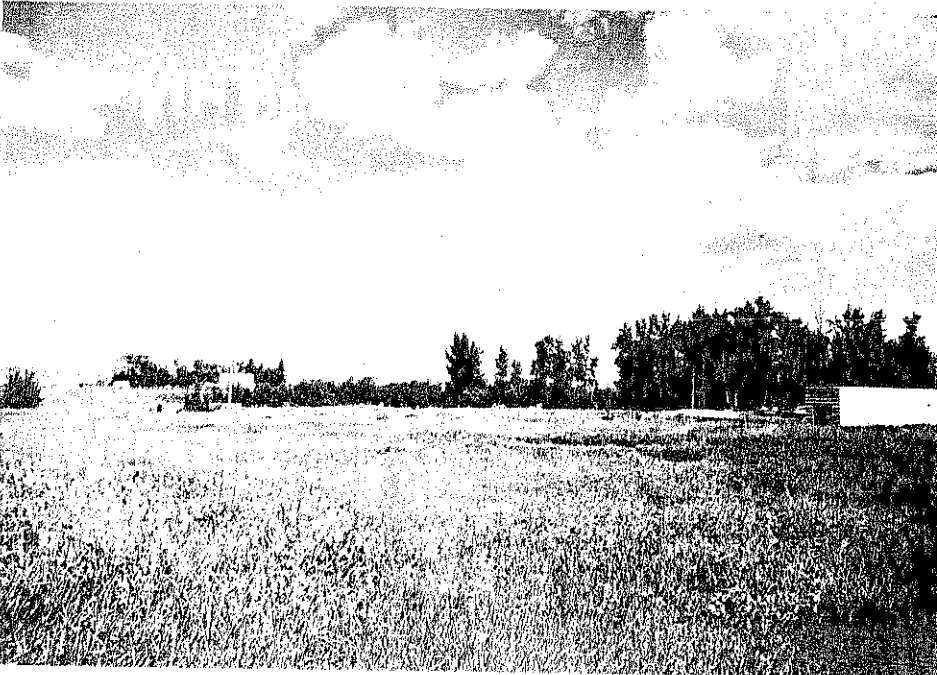


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 1 of 3 panoramic photos looking east to north
from northeast corner of former Ammy's building.

LOCATION: 3450 Hwy 93 South


CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~2:00 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) 
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt 1 Hour
PHOTO# 081497JM-7



MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 2 of 3 panoramic photos looking east to north
from northeast corner of former Ammy's building.

LOCATION: 3450 Hwy 93 South


CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~2:00 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) 
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt 1 Hour
PHOTO# 081497JM-8

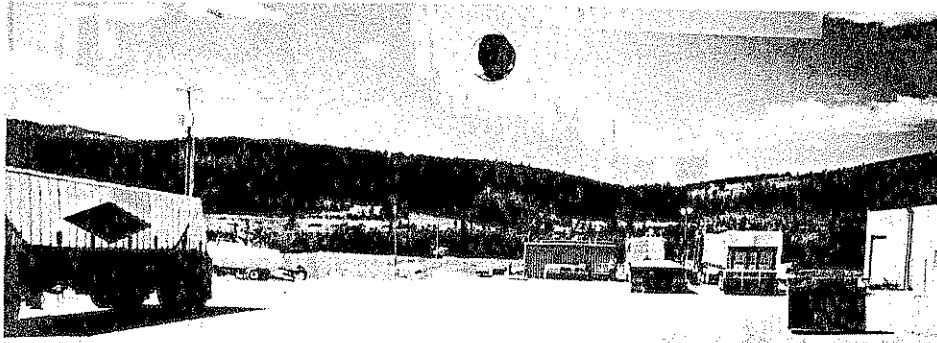


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 3 of 3 panoramic photos looking east to north
from northeast corner of former Ammy's building.

LOCATION: 3450 Hwy 93 North

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~2:00 p.m.
WEATHER: (SUN)(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) 
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-9

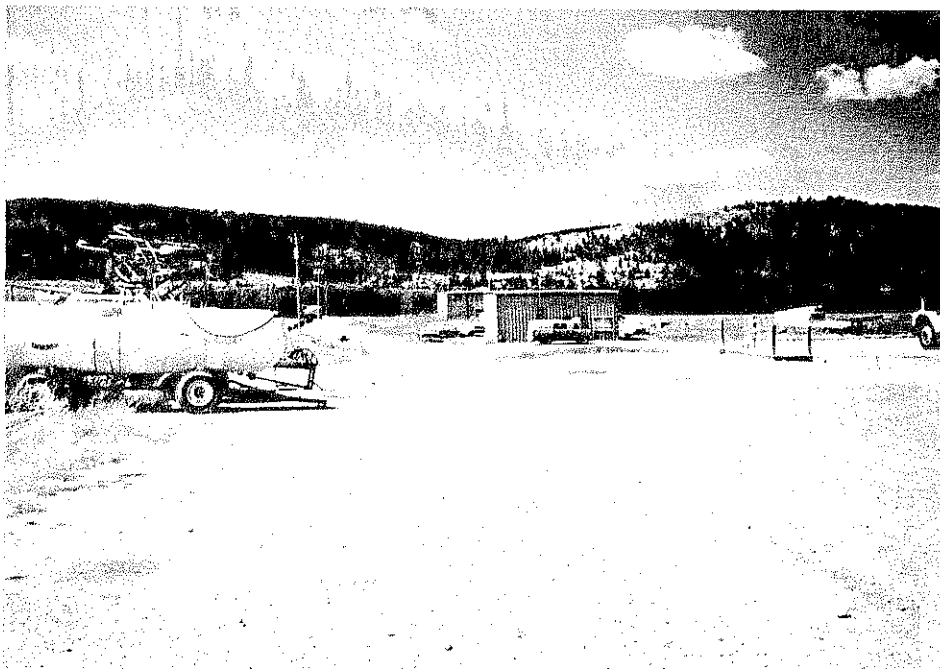


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Location photo looking west from lot south of main building.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~1:30 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-1

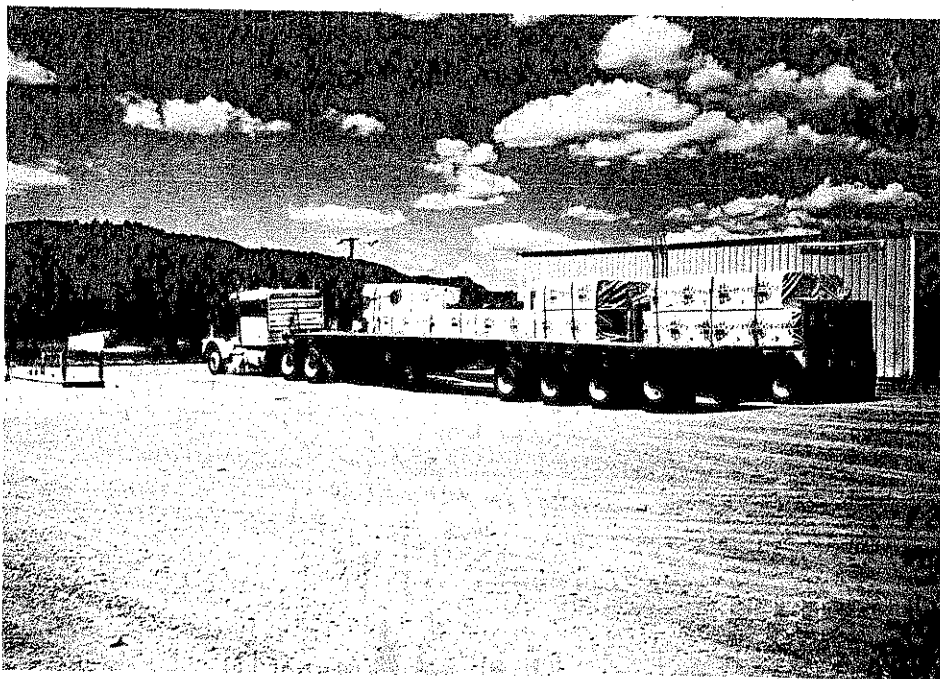


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 1 of 4 panoramic photos taken looking west to northeast from south of fuel station. Furthest building formerly housed Ammy's Home Repair. Closest building houses Dirty Deed.

LOCATION: 3450 Hwy 93 South.

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~1:30 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-2

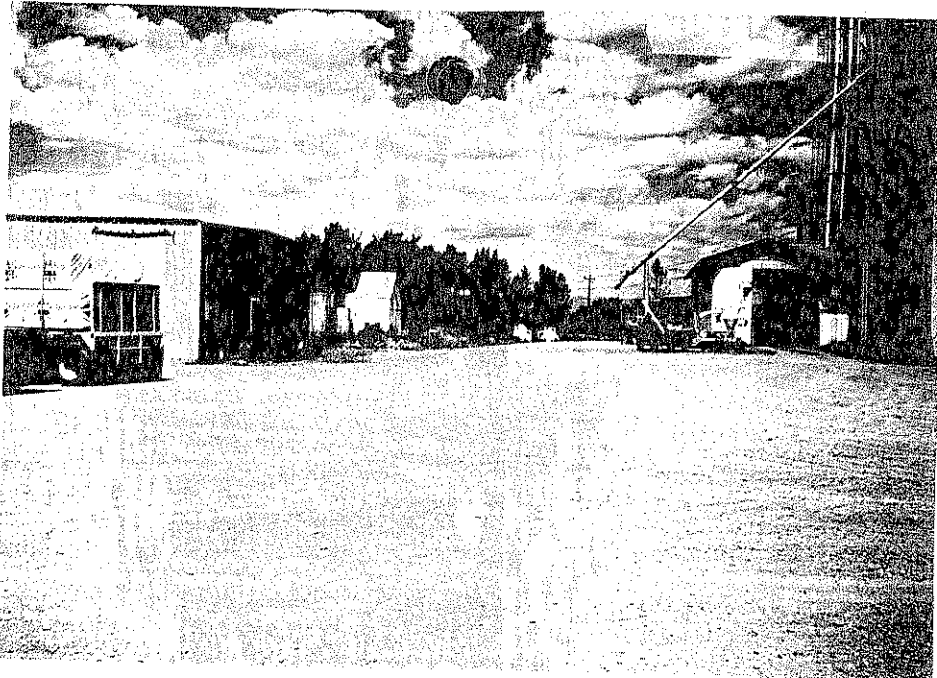


MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 2 of 4 panormic photos taken looking west to northeast from south of fuel station. Note truck at fuel station.

LOCATION: 3350 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: ~1:30 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081487JM-3



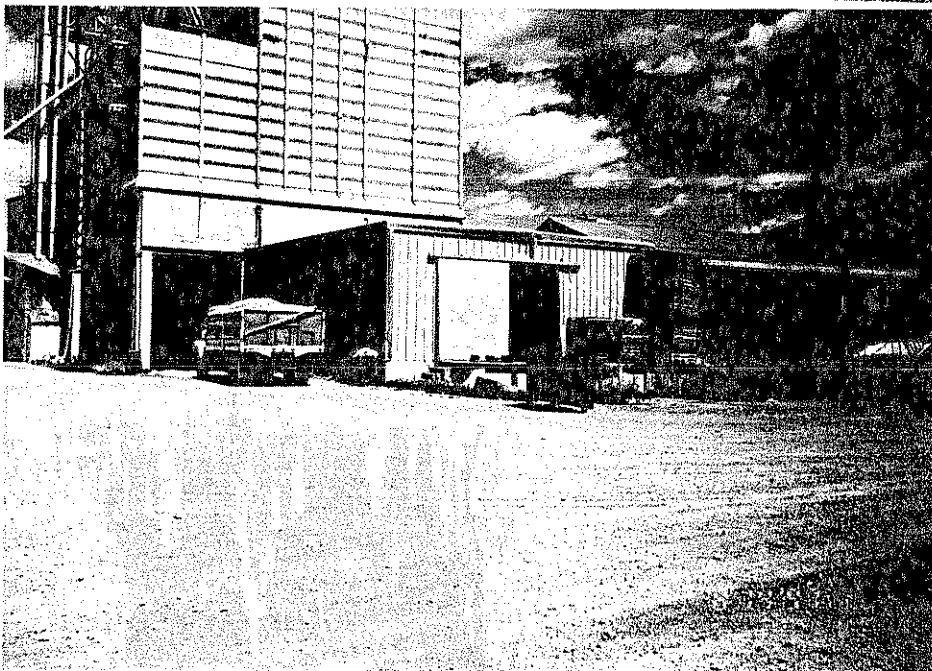
DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 3 of 4 panoramic photos looking west to northeast from south of fueling station.

LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: 1:30 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 hour
PHOTO# 081497JM-4

MT DEQ/SHW



PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: 4 of 4 panoramic photos looking west to northeast from south of fueling station.

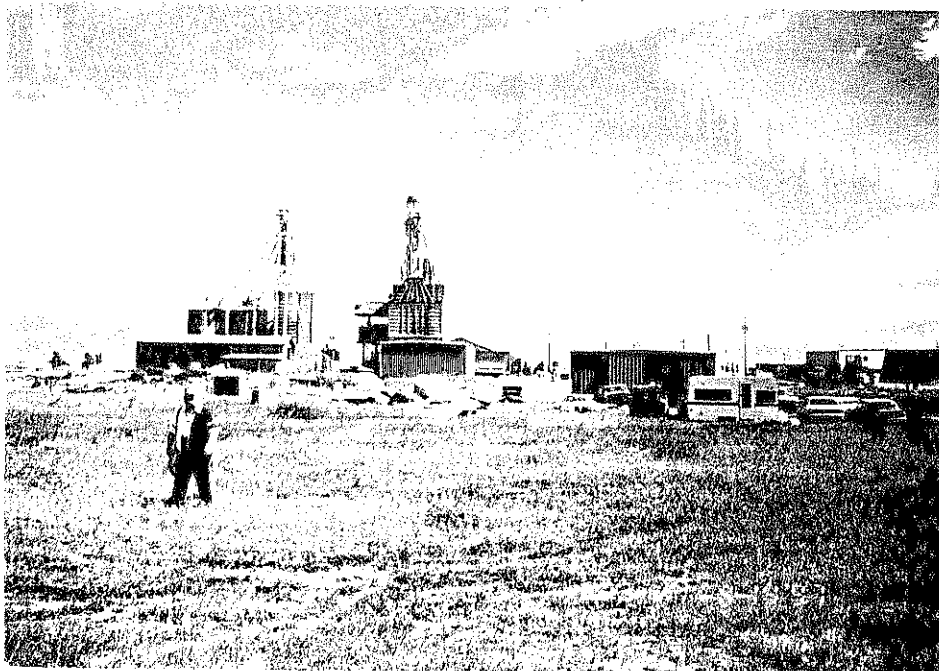
LOCATION: 3450 Hwy 93 South

CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: 1:30 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-5

MT DEQ/SHW

PROJECT/CASE NO: Kalispell Feed & Grain
SUBJECT: Dirty Deeds Building from East side of former Ammy's. NOTE-large trash/debris pile northwest of Dirty Deeds Building.

LOCATION: 3450 Hwy 93 South



CITY: Kalispell COUNTY: Flathead STATE: MT
DATE: August 14, 1997 TIME: 2:09 p.m.
WEATHER: ~~(SUN)~~(HAZE)(CLOUDY)(RAIN)(SNOW)
PHOTOGRAPHER (sig.) *[Signature]*
WITNESS: Ron Steward
CAMERA: Polaroid
FILM TYPE: Kodacolor ASA: 400
NEGATIVE LOCATION: Files
PROCESSED BY: Mt. 1 Hour
PHOTO# 081497JM-6

NOV 04 1997


Montana Department of
Environmental Quality
Permitting & Compliance Division
Air & Waste Management Bureau

COPY

CASE: 97-3290

COMPLAINANT: MT. Dept. Of Transportation through MDEQ
Helena, MT

COMPLAINT: Alleged possible environmental problems involving pesticides at Kalispell Feed and Grain in Kalispell, MT. Possible violations of Montana Pesticides Act and other state laws.

INSPECTOR: Ronald Stewart 
Agricultural Specialist, District I

INSPECTOR'S REPORT

07-02-97

I received a call from Greg Murfitt of the Helena office. He said that he and Steve Baril had been in a meeting with Ed Thamke and Bob Reinke about a complaint on Kalispell Feed & Grain(KFG) in Kalispell, MT. Greg said that at this time he wanted Dan Poff and I to research the MDA license history of Kalispell Feed and Grain (Swallow's Grain Service[SGS]) only. I checked with Donna Stevens on the license history and got back to Greg on what we had found.

07-30-97

Greg Murfitt called and said that he was sending me a copy of the complaint and a copy of the Environmental Site Assessment (ESA). He said that he wanted me to go over the ESA and recommend MDA jurisdiction and our role and prepare a recommendation and send it to Helena. Greg said that he had talked to Bob Reinke and that Bob wanted to coordinate and do a joint assessment of the site.

07-31-97

I received the information on KFG and SGS along with a copy of the ESA. I contacted the Secretary of State's Office and found that KFG is a MT corporation and requested information of the corporate ownership. I started assessment of the ESA. I contacted MT Fish, Wildlife & Parks in Kalispell, identified myself and the reason for my call. Gary Anderson, aquatic biologist for the Ashley Cr.. Area, said that they have not noted or had problems reported to them about Ashley Cr..

08-01-97

I contacted Janet Kirkland about the DiChem D-11 and the Dow Dinitroamine herbicide. Janet could find no references to the DiChem product although DiChem had registered some micro biocides for secondary oil well recovery injection systems. Janet said that Vertac manufactured dinoseb until 1983 and transferred the label to Cedar Chemical. She said that Dow Chemical had an SLN label on the

Dinitroamine herbicide from 1977-1983 and that Dinoseb was canceled in 1993. I thanked her for the information.

08-04-97

I received the requested information from the Secretary of State.

08-06-97

I finished my assessment of the ESA and prepared and sent a ZIP OFFICE reply to Greg Murfitt of what I found and my recommendations.

08-08-97

Greg called with information on my recommendations. He said that I was to focus on: 1) pesticide containers with emphasis on compliance with triple rinse and rules, 2) determine responsible party for pesticide issues, 3) possible samples if spill or contamination areas are found, & 4) coordinate with Bob Reinke. I called Bob Reinke and we agreed to meet in Kalispell on August 14th and do the inspections.

08-14-97

I contacted Clifford Swallow at SGS south of Kalispell. I identified myself, presented my credentials, and identified the reason for my visit. Cliff said that if we wanted to inspect KFG that we would have to contact John Martin for permission even though Cliff was listed as vice president of the corporation. Cliff said that he came there in 1984 and that the empty containers on the property were there when he came. Cliff said that he did his chemical mixing at the spray sites. Cliff said that he properly rinsed and disposed of all containers that he had used in his application business. Note: Clifford Swallow was licensed as a dealer and applicator from 1987-1994. Cliff said that he was not sure if John Martin was in Missoula or Phoenix. I thanked him for the information and left.

I contacted Steve Olsen of Norwest Bank since the DEQ complaint talked about the possibility of receivership of the property. I presented my credentials and identified the reason for my visit. Steve said that they have legal interests in the property and that it is in Federal courts at this time, however, he said that they have no interest in owning the property now or in the future, just trying to get KFG to pay their debts. He said that I should also contact the Flathead County Attorney's Office since they were also involved in back taxes on the property. I thanked him for his cooperation and left.

I contacted Flathead County Deputy Attorney John Smith at his office. I presented my credentials and identified the reason for my visit. John said that they have a tax lien on the property for 15 yrs. of back taxes. John said at this point that the county was not going to do anything about it as the debt exceeded the worth of the property and the county did not want the property. I thanked him for his

cooperation and left.

I went to the Flathead County Plat Room and identified myself and the reason for my visit. I received a plat map for the KFG area to go with the legal site description.

I contacted Bob Reinke by cell phone and updated him on the information that I had received. Bob called Cotter & Cotter, Attorneys for Martin, and relayed to them the reason for our visit. Cotter said that he would try to contact Martin and gain permission for the inspection.

At approx. 1330 hrs., we arrived at KFG. We identified ourselves, presented our credentials and the reason for our visit to a woman who identified herself as Clifford Swallow's daughter and the secretary for KFG. She said that she did not know where to reach John Martin and that we would need his permission to do the inspection. We left the office and went to the south side of the road on the south side of the property that went westerly to other businesses identified in the ESA.

A woman came out and said that John Martin was on the phone and wanted to talk to us. We went back in the office and Bob Reinke talked to Martin. He identified both of us and the reason for our visit. Martin told Bob that he bought KFG in 1981 and that all of the empty containers were on the property at that time. NOTE: Flathead County identified KFG as the only owner of the property since 1976, however they did not specify if John Martin has been the only owner of KFG. Martin gave Bob verbal authorization for both of us to conduct our inspections.

I accompanied Bob throughout his inspection of the premises, however, limited my inspection only to the area concerning pesticides. We took panorama photographs.

We used the ESA site map for locations for our inspections. What was found is delineated below:

A). At site 18, an old car wash bldg., I found two old rusty 5 gal. Pesticide containers that had been welded together. There were holes in the containers and they appeared to be empty. The labels were largely unreadable and no storage/disposal instruction could be found. (See photo # 4). There was no odor noted.

B). At her Northwest corner of building "A", I found a 30 gal. Plastic Landmaster barrel. It appeared to be empty except for a very small amount of liquid(estimated at less than 1 cup). The label on the barrel was dated 1987 and did have triple rinse/ disposal instructions. (See photos # 5-8). The barrel had a valve and bung in place. No odor was noted.

C). At site 16, adjacent and just north of the shop was a fenced in area (approximate area 10'x 16') that contained numerous old pesticide containers (unable to get an exact count but estimated to be 100+). The majority of the containers were 5 gal. Metal Monsanto Far-Go and Roundup containers. In addition to the above were noted containers for PennCap-M, Wilbur Ellis Amine 4, Carbyne, Hoelon, Cenex 40 A, R/P Rhonox(all in metal 5 gal. Except

for the Penncap-M which were in 5 gal. Plastic), and a few 1 gal. metal cans of Weedone LV-4. All of these containers appeared to be empty and no odors were noted in the yard. The metal containers were in fair to poor shape and many of the labels were unreadable for storage/disposal instructions. The Monsanto Far-Go and Roundup label noted were dated between 1977 and 1984. One paper Far-Go label was retrieved. There were two unidentified 55 gal. drums noted in this inclosure. The were empty and appeared that possibly used oil had been placed in these drums at one point. Photographs were taken(# 9-21). Also noted were several empty rinsed plastic 2 ½ gal. containers. All but one had no label and the one with a label was for an adjuvant. These containers appeared clean and no odor was noted.

D). At site 12 a rusted metal empty 1 gal Butyrac Ester can was noted. Here again it was rusted and in fair to poor condition. Also noted was a barrel of Dresser DiChem DC41 not D-11 as listed in the ESA. This appeared to be an oil field chemical and did not have an approved pesticide label. It was partially full and no leakage was apparent. The drum was on its side. Since the ESA had listed this as a possible pesticide, I told Bob that I would check into this for us. A photo was taken (#22).

E). At site and around site 15, we found an empty Weedone 55 Gal. drum. There was no storage/disposal statement. Also found were an empty 30 gal metal Vertac Premerge Dinitroamine herbicide drum (photo # 24), a 30 gal metal Dow Premerge Dinitroamine Herbicide drum that was approx. 1/4 to 1/3 full of an unknown liquid that was yellowish green in color and had no odor(photo # 25), and an empty 5 gal metal Stauffer Eptam container the appeared to have had some used oil placed in it at one time(photo # 26). No storage /disposal instructions were found on any of these containers.

F). I found no evidence of a mix/load area or any areas of contamination that could be identified during this inspection.

08-26-97

I contacted Dresser Industries and was eventually channeled to M.I. Drilling Fluids for information on the DiChem DC 41. Paul Scott checked the MSDS since this product is no longer in production and found that it was an oil field solvent rather than a pesticide. He faxed me a copy of the MSDS.

I contacted Dow Chemical and the Helena office on the Dinoseb and was told by both that the Dinoseb and Dinitroamine herbicides were of an amber to brown color.

I contacted Bob Reinke about the DC41 to let him know that it was a solvent rather than a pesticide and faxed him a copy of the MSDS. Bob said that Dinoseb is a P listed waste and asked if it could

97-3290

MDA-KFG

Page 5

go through the MDA Waste Pesticide Disposal Program. I contacted Dan Sullivan and he said that Dinoseb could be accepted through our program. I called Reinke and notified him of the answer of Dinoseb and our program.

Sept. 24, 1997

97-3290

cc: Bob Reinke, MDEQ

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENFORCEMENT DIVISION

Metcalf Building
1520 East Sixth Ave.



MARC RACICOT, GOVERNOR

STATE OF MONTANA

Phone: (406)444-0379

Fax: (406)444-1923

PO Box 200901

Helena, MT 59620-0901

November 26, 1997

Michael W. Cotter, Esq.
Cotter & Cotter, P.C.
P.O. Box 3425
121 4th Street North
Great Falls, Montana 59403-3425

[CERTIFIED] # P 584 679 712

RE: Kalispell Feed & Grain Complaint ID #1196

Dear Mr. Cotter:

This letter pertains to environmental regulatory issues associated with the subject property located at 3450 Highway 93 South, Kalispell Montana, owned by your client John Martin. The Montana Department's of Environmental Quality (DEQ) and Agriculture (MDA) have performed a preliminary investigation in response to a complaint received by DEQ concerning potential problems associated with past and current site management practices at the property.

Specifically, DEQ & MDA inspectors delineated four main issues that we now ask you and your client to address and manage. These issues are as follows: Used Oil Collection & Storage, Solid and/or Hazardous Waste Accumulation and Disposal, Junk Vehicles, and Agricultural Pesticide Identification and Management. For the purpose of clarity I will detail the nature of the problem and outline a *preferred remedy*. An * means a consultant should be retained to address the issue.

USED OIL COLLECTION & STORAGE

Administrative Rules of Montana (ARM) 17.54.309(5) adopts, by reference, the used oil regulations set forth in 40 CFR 279. During the inspection, numerous open containers of what appeared to be used oil were observed. The inspectors also observed closed containers which, due to exterior deposits, were suspected as containing used oil. None of those containers were marked as to the contents. 40 CFR 279.22(c) requires all used oil containers to be marked with the words "USED OIL". Near several of the containers, the inspectors observed black, oily stains on the soil. 40 CFR 279.22(d) requires responses to used oil releases. As part of that response, the used oil and contaminated materials must be cleaned up and properly managed. In addition, steps must be taken to prevent any future releases. *All used oil accumulated on the property must be properly containerized and labeled. In addition, any stained soil must be sampled and removed to either the licensed Flathead Landfarm or Flathead County Landfill.*

SOLID AND/OR HAZARDOUS* WASTE ACCUMULATION & DISPOSAL

ARM 17.54.302(2) identifies materials as a waste if they are accumulated or stored in lieu of being disposed. During the inspection, in addition to the suspected containers of used oil, the inspectors observed full, abandoned containers at Locations 9 and 12 (see Figure 2 of the 4/21/97 Phase I Site Assessment, attached). One of the containers at Location 9 had a visible discharge to the soil. None of the containers bore any meaningful markings as to the contents. ARM 17.54.402 requires the generator of a waste to determine if that waste is hazardous. During a telephone conversation immediately prior to the inspection, Mr. Martin claimed to have no knowledge of the contents of any of the containers. Clearly, the hazardous/non-hazardous determination of these wastes has not been conducted. *The contents of these drums and any spillage to the ground must be characterized, either through knowledge or analytical sampling, to determine their status. Appropriate cleanup of the drums and any contaminated soil will be dependant upon the nature of the documented material(s).*

ARM 17.54.402 & 403, 75-10-406 Montana Codes Annotated (MCA) and 75-10-422 MCA combine to prohibit the on-site disposal of hazardous waste without a permit. Should it be found that any hazardous waste has been unlawfully stored or disposed, that waste must be properly remediated, managed and disposed.

MCA 75-10-221(1) states that no person may dispose of solid waste or operate a solid waste management system without a license from the department (of Environmental Quality). This prohibits any non-hazardous solid wastes from being disposed of on the property. This would apply to all non-hazardous drums, contaminated soil, any junk, building debris or other solid wastes at the site. In addition to numerous drums scattered throughout the property, inspectors noticed a trailer that had been demolished. *It is recommended that all non-hazardous solid waste be hauled to the Flathead County Landfill (758-5911) for appropriate disposal. Mr. Martin should call the landfill ahead of time to let them know he has a large cleanup and should also retain all landfill receipts to document that appropriate disposal has occurred. Please be aware that it is not legal to open burn without a permit from Flathead County. Only clean untreated wood is allowed to be burned under a permit. Please contact Flathead City-County Health Department's Air Quality Program (758-5760) if open burning is being considered to reduce the volume of waste to be hauled to the landfill. All ash resulting from any burn must be hauled to the landfill upon cooling. Non-hazardous contaminated soils may be taken to the Flathead Landfarm (434-5259) upon acceptance. Any scrap metal or other metal waste may be taken to a recycler upon acceptance (you may also want to check if they will take drums).*

JUNK VEHICLES

MCA 75-10-502 of the Motor Vehicle Recycling and Disposal Act states that possession of four or more junk vehicles at one location is prima facie evidence that the possessor is operating a motor vehicle wrecking facility. MCA 75-10-511 states that no person may conduct, maintain, or operate a motor vehicle wrecking facility or motor vehicle graveyard without a license issued by the department (of Environmental Quality). Inspectors documented considerably more than four apparently abandoned vehicles on the property. DEQ has no record of a licensed junk vehicle facility at the location. *We advise Mr. Martin to either secure proper removal of the junk vehicles through the Flathead County Junk Vehicle Coordinator Steve Johnson (758-5910) or provide the name and contact information of the person responsible for accumulating the junk vehicles to DEQ's J.V. Program Manager Darrell Stankey (444-3048).*

*AGRICULTURAL PESTICIDE IDENTIFICATION & HANDLING

The Montana Department of Agriculture has outlined the following on this issue:

1. All the pesticide containers must be held and disposed of in compliance with 4.10.801-.808 Administrative Rules of Montana, Rinsing and Disposing of Pesticide Containers (Copy attached).
2. The Dow Dinitro Amine Herbicide barrel is of special concern since the container originally held Dinoseb which is a canceled/suspended corrosive product of environmental concern. The true contents of this drum is unknown at this time, therefore this drum needs to be secured and over packed and the contents properly characterized. This could include sampling and analytical testing. Once the material is characterized it must be disposed of in compliance with Federal & State regulations. The barrel then must be triple rinsed and disposed of as outlined above. The rinsate must also be disposed in compliance with applicable Federal and State regulations.
3. MDA also requests soil sample(s) of the area beneath the pesticide container storage yard labeled site 16, located adjacent North of the Shop as identified in the ESA. These samples will help MDA and DEQ evaluate the site history and or the need for remediation.

The MDA requests that MDA be present during sampling and provided the opportunity to obtain duplicate or split samples of the soil, and the liquid from the Dow Dinitro Amine Herbicide barrel.

Mike Cotter, Esq.
Page 4
November 26, 1997

CLOSING COMMENTS, RECOMMENDATIONS AND TIME LINES

Both DEQ and MDA strongly recommend that a qualified consultant be retained to address the hazardous waste and pesticide issues raised on Mr. Martin's property. It is my hope that we have sufficiently spelled out satisfactory resolutions expected of Mr. Martin regarding pesticides, used oil, solid waste and junk vehicle clean up and management. We are aware that Mr. Martin may or may not have been directly involved with the issues raised in this letter. However, as the property owner, he is responsible for mitigating any threat to human health or the environment emanating from his property. Our goal in communicating our concerns is to ensure that your client take the necessary steps to maintain compliance with environmental law in our state. As it stands, we have identified potential violations of : the Montana Pesticides Act; the Federal Insecticide, Fungicide and Rodenticide Act; Code of Federal Regulations (CFR) Title 40, Part 279; the Montana Hazardous Waste Act; the Montana Solid Waste Management Act; and the Montana Motor Vehicle Recycling and Disposal Act. Illegal open burning of debris would be in violation of the Montana Air Quality Act. One important issue that has not been discussed is compliance with the Montana Water Quality Act.

The spring of 1997 brought much flooding throughout Montana and specifically along Ashley Creek that runs adjacent to your client's property. It is alleged but not confirmed that debris from this site may have been washed away during this spring's flooding. We do know that ground water in this area is shallow. I believe that it is in your client's best interest to immediately begin the requested cleanup at his property to make sure that no impact to state surface or ground water occurs. Please be aware that violation of environmental law carry potential fines and penalties.

In order for the departments to be confident that progress toward eventual compliance is being achieved, we respectfully require the following: **Submittal of a written work plan that clearly delineates how each of the issues raised in this letter will be addressed, who will be performing the tasks, and a time line for completion of the work.**

I ask that this plan be sent to me directly no later than December 19, 1997. I will work with the appropriate programs to gather the necessary approvals, then provide you with either a request for more information or statement of approval to begin the work. Please be aware that if there are other potential issues known to exist at this property that have not been identified in this letter, now would be the time to incorporate them in the clean up activities. If you have any questions or comments as to what is being required of your client, please feel free to contact me.

Sincerely,



Edward A. Thamke

Complaints Management Section Chief

Mike Cotter, Esq.
Page 5
November 26, 1997

enc.: Olympus Environmental Phase I Environmental Site Assessment, April 21, 1997
MDA Ron Stewart 8/14/97 Inspection Report
DEQ Robert Reinke 8/14/97 Inspection Report
Used Oil Guidance and Handout
ARM 4.10.801-.808

copy w/out enclosure:

Greg Murfitt, Montana Department of Agriculture
Bob Reinke, DEQ Hazardous Waste Program
Pat Crowley, DEQ Solid Waste Program
Darrell Stankey, DEQ Junk Vehicle Program
Bonnie Lovelace, DEQ Water Quality Protection Bureau
Mike Trombetta, DEQ Hazardous Waste Site Cleanup Bureau
Cora Helm, Montana Department of Transportation
Joe Russell, R.S., Flathead County Health Department

SENDER

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PS Form 3800, April 1995

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FEB 04 1998

MEMO

Environmental Quality

Montana Department of
Environmental Quality
Permitting & Compliance Division
Air & Waste Management Bureau

To: Claudia Massman, John North
From: Ed Thamke, Complaints Management Section *ET*
Date: February 4, 1998
Subject: Request for clarification on DEQ requirements on Kalispell Feed & Grain.

BACKGROUND: In response to a 6/26/97 complaint received from the Montana Department of Transportation (MDT) (Attachment 1 CVID#1196), DEQ and the Department of Agriculture (Dag) performed a joint investigation of Kalispell Feed & Grain (KFG), Inc. near Kalispell, Montana. Several potential violations were discovered during the investigation and a request for clean-up was mailed on 11/26/97 (Attachment 2) with a deadline for response by 12/19/97. A request for an extension was received by phone on 12/19/97 (Attachment 3) and was formally granted on 12/24/97 with extension dated to 2/2/98 (Attachment 4). A letter from John Martin clarifying ownership issues was copied to DEQ on 1/23/98 (Attachment 5). A cryptic version of the requested work plan was received on 1/27/98 (Attachment 6). Unfortunately, Mr. Martin states that the work will not commence until Norwest Bank and MDT agree to pay the cost for a consultant's investigation and costs for any corrective actions.

ISSUE: I regard Mr. John Martin as the entity responsible for ensuring that Kalispell Feed & Grain complies with DEQ & Dag directives. Our directives are to provide an assessment of the material containerized in the drums on the property and properly manage and dispose of all wastes inappropriately stored on the property. Mr. Martin asserts that "KFGS Inc. is the proper owner of the property", not he. Mr. Martin further states the KFGS, Inc. is working under an approved bankruptcy court plan of reorganization "Business as Usual". Mr. Martin insists that our requirements are not "Business as Usual" and therefore are not provided for in the "Confirmed Plan of Reorganization".

REQUEST: My question to DEQ legal staff: Is Kalispell Feed & Grain, Inc. and/or John Martin protected from having to perform and pay for our requirements? I do not predict that Norwest Bank or MDT will agree to pay for anything, nor do I think they should. I think DEQ & Dag are justified in our requirements and concerns over potential threats to human health and the environment from wastes being improperly managed at the property. I do not wish this to be a long drawn out affair and respectfully ask that you promptly provide us with direction on how to best proceed in procuring clean up at this site. Thank you in advance for your input.

cc/w/Attachments: Bob Reinke-DEQ, AWMB, Haz-Waste Program
Steve Baril-Dept. of Agriculture, Field Services Bureau

COTTER & COTTER, P.C.

Attorneys at Law
P. O. Box 3425
121 Fourth Street North
Great Falls, Montana 59403-3425

Michael W. Cotter
Patricia O'Brien Cotter

Telephone
(406) 761-8891

December 19, 1997

RECEIVED

DEC 23 1997

MT F Environmental Quality
Enforcement Division
Via Fax: 444-1923
and U.S. Mail

Department of Environmental Quality - Enforcement Division
Attn: Mr. Edward Thamke
Complaints Management Section Chief
Metcalf Building, 1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

Re: Kalispell Feed & Grain Complaint ID #1196

Dear Mr. Thamke:

On December 2, 1997, we received by mail your letter under date of November 26, 1997, regarding environmental regulatory issues involving Kalispell Feed and Grain at Kalispell, Montana. Mr. John Martin has received a copy of your letter and is in the process of contacting the Olympus Environmental Company from Helena, Montana for purposes of engaging their services for remediation of the site.

Please also be advised that Miller's Mutual Fire Insurance Company, the insurance carrier which has issued commercial general liability policies in favor of Kalispell Feed & Grain has also been contacted regarding coverages. It would be helpful to have Mr. Martin to have the remediation funded through his insurance company. Nevertheless, those matters are being addressed.

I have discussed this matter with Mr. Martin, and in light of the upcoming holidays and the fact he resides in Phoenix, Arizona, he requests an extension of 45 days within which to respond to your letter dated November 26, 1997.

We appreciate your consideration in this matter, and look forward to working with you to resolve the environmental regulatory issues outlined in your letter.

Thank you.

Very truly yours,

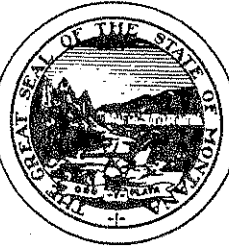

Michael W. Cotter

MWC:tcb
cc: John Martin

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENFORCEMENT DIVISION

MARC RACICOT, GOVERNOR

Metcalf Building
1520 East Sixth Ave.

STATE OF MONTANA

Phone: (406)444-0379

Fax: (406)444-1923

PO Box 200901
Helena, MT 59620-0901

December 24, 1997

Michael Cotter, Esq..
Cotter & Cotter, P.C.
P.O. Box 3425
Great Falls, Montana 59403-3425

RE: Kalispell Feed & Grain Complaint ID#1196 - Extension

Dear Mr. Cotter:

We have received your request for a 45-day extension from December 19, 1997 to prepare and submit the work plan delineated in our November 26, 1997 letter to you on the subject matter. The Montana Department of Environmental Quality and the Department of Agriculture hereby extend the deadline to February 2, 1998. Please advise your client that no further extensions will be granted. We consider this sufficient time to submit a work plan and will encourage that the actual work be completed as soon as possible in the spring of 1998.

The issue of whether insurance will cover the costs associated with this clean up are between your client and his carrier. We strongly urge that this issue not delay our request for expedient action. Please do not hesitate to call or write if you, Mr. Martin, or your consultant have any questions or comments on what is being required.

Sincerely,

A handwritten signature in dark ink, appearing to read "E. Thamke".

Edward A. Thamke
Complaints Management Section Chief

c: Greg Murfitt, Montana Department of Agriculture
Bob Reinke, DEQ Hazardous Waste Program
Cora Helm, Montana Department of Transportation
Joe Russell, R.S., Flathead County Health Department

FLATHEAD FEEDS
For Your Farm Needs

Moon Mountain Trail #8
Phoenix, Arizona 85023



Phone: (602) 942-1560
Fax: (602) 993-1012

A Attachment 6

January 20, 1998

RECEIVED

JAN 27 1998

MT Dept. of Environmental Quality
Enforcement Division

Department of Environmental Quality
Metcalf Building
1520 East 6th Avenue
PO Box 200901
Helena MT 59620-0901

CERTIFIED — RE: Kalispell Feed & Grain Complaint #1196

Dear Mr. Thamkpe,

The main body of this letter is directed to the 3rd paragraph of your letter of November 26, 1997, on page 4 in bold print. IE 1) submittal of a written work plan that clearly designates how each of the issues raised in this letter will be addressed, who will be performing the tasks, and a time line for completion of work.

Each of the issues will be addressed by KFGS Inc., and all leasers on subject property.

The leasers will be performing the tasks under the direction and approval of CEC Mr. Bill Corwin.


We are unable to set a time for completion of work simply because we cannot determine the extent of work, ground conditions, etc.

Now it should be clearly understood by all parties that the implication of this plan and start of work will not begin until it has been arranged by Norwest Bank (Enactor) and MDT (beneficiary) agree to pay all out of pocket expenses in conjunction with the implication of the necessary corrections as indicated by Mr. Bill Corwin. To be more specific, out of pocket expenses means Bill Corwin's costs, any truck expense, and other type of equipment expense, etc.

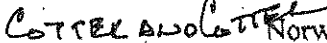
As a final comment, previous correspondence furnished to you should clarify the proper owner of the property which is KFGS Inc., not John Martin. Also, it should be kept in mind that KFGS Inc., is working under an approved plan of reorganization "Business as Usual." This assessment is not "Business as Usual" and is not provided for in the Confirmed Plan of Reorganization.

Respectively Yours,

Kalispell Feed & Grain Supply Inc.


_____, President
John W. Martin

JWM/dar

Copies to:  Norwest Bank Vida Poling
Clifford Swallow VP Valcon Dist Co - Dallas Heron
CEC Bill Corwin Don Powell - KFG Inc.

Gary Deschianes - Law Firm
Jim Bennet - Flathead County
Montana Department of Transportation

FEED

GRAIN

SEEDS

IRRIGATION

FERTILIZER

FLATHEAD FEEDS
For Your Farm Needs

Moon Mountain Trail #8
Phoenix, Arizona 85023



Attachment 5

Phone: (602) 942-1560
Fax: (602) 993-1012

January 20, 1998

Montana Department of Transportation
PO Box 201001
Helena MT 59620-1001
Attention Cora Helm

RECEIVED

JAN 23 1998

MT Dept. of Environmental Quality
Enforcement Division

Dear Madam,

We have received your complaint against Kalispell Feed & Grain / John Martin. This is not the proper or responsible party. The proper owner of property is Kalispell Feed & Grain Supply Inc., a Montana Corporation. For future use in this letter and others, it will be referred to as (KFGS Inc). The stock in this Corporation is owned by Kalispell Feed & Grain Inc., an Arizona Corporation of which I am President. This is being pointed out at this time so there are no misunderstandings or other that could be interrupted by Mr. Thamke's Description of Complaint.

Regarding Mr. Thamke's remark about Litigation and Receivership. The Litigation known as CV-85-147-M-CU in District Court is one issue and is in appeal to the appellate court. The Receivership mentioned in his letter is a separate 2nd issue. That being in 1986 the Norwest Bank (Steve Olsen, President) withdrew KFGS Inc's line of credit and forced KFGS into bankruptcy. Mr. Olsen testified under oath that he knew the withdrawal of this line of credit would put KFGS Inc. Out of business, which it did. KFGS Inc. Then filed bankruptcy under chapter 11 reorganization of Federal Bankruptcy Law. KFGS Inc., is now working under a plan of reorganization approved by the Honorable Judge J. L. Peterson Federal Bankruptcy Judge.

Regarding the appraised value of the project. We have been informed via newspapers and others that an employee of MDT by the name of Ray Harbin is working with Steve Olson, Ex President of Norwest Bank in securing appraisals of KFGS Inc., property to discredit or under value the true value of the KFGS Inc property. This type of appraisal is known as M.A.I. Appraisal. Meaning "MADE AS INSTRUCTED." One must not be misled by this type of appraisal made for the specific purpose of discrediting the value of the property to a potential buyer. For the purpose of informing MDT of the true value with a valid appraisal I am enclosing the pertinent sheet from an appraisal of which we have the other portion as it's quite voluminous, this appraisal was given to KFGS Inc., by Norwest Bank when the property was purchased through the Norwest Bank. It is incorporated into the Disclosure Statement and Confirmed Plan of Reorganization and represents the value of the property. The Confirmed Plan requires that the property cannot be dissipated, which it has not. The same employees are still there and the facility is operating under "Business as Usual" as the Plan provides.

page 1 of 2

FEED

GRAIN

SEEDS

IRRIGATION

FERTILIZER

The facility is still under the jurisdiction of the U.S. Bankruptcy court until the Plan is completed, which it has not been as of this date. If it is sold it must be sold subject to U.S. Bankruptcy Court approval, and at that time the aforementioned appraisal of \$2,218,400.00 would come into action. However, at this time I should mention that KFGS Inc., or any portion thereof, is not for sale. It would be ridiculous for anyone to consider selling a portion of the property as that would affect the above-stated value and seriously effect the operation of the income-producing ability of KFGS Inc.

Regarding the \$2,218,400.00 appraisal. This appraisal was given to KFGS Inc by Norwest Bank when the property was purchased by them through Norwest Bank. It was signed by Steve Olsen, then President of Norwest Bank, as to the accuracy of it under the penalty of perjury. It should also be mentioned at this time that the pertinent appraisal, which was made in 1980, would increase as property values have increased since. As a final statement or question before concluding issue number 2 of Mr. Thamke's complaint against KFGS Inc., I wonder why Steve Olson, Ex-President of Norwest Bank, Kalispell, would volunteer to obtain appraisals that would tend to discredit or devalue KFGS Inc property for the benefit of MDT while the Norwest Bank holds a mortgage of over 1.1 million, and has already certified the value via their own appraisal. It tends to go along the lines of conspiracy, Norwest Bank, MDT against KFGS Inc.

Further, Norwest Bank is participating with MDT to enforce an environmental assessment on property, which they have a mortgage. Possibly the Norwest Bank is trying to increase their previous value quoted, but why?

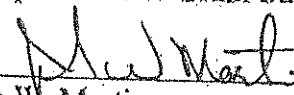
Now regarding your complaint and for the purpose of this letter, it will be addressed as Issue No 3. It is in no way connected to issues number 1 and 2 above. In viewing the assessment made by Olympus, all of the issues existed long before Norwest involved themselves in the sale of the property to KFGS Inc. It has not been indicated to KFGS Inc., that Mr. Olson, client, has approved this assessment (see Thamke's complaint) made by Norwest bank for the benefit of MDT.

As a conclusion to this letter, should MDT have any question, or require any documents to support the above, please feel free to call by phone or to the address shown above or via business card enclosed.

As an additional matter of information, John W. Martin Construction owns 100% of the stock in KFG Inc., an Arizona Corporation.

Respectively Yours,

Kalispell Feed & Grain Supply, Inc.

 President
John W. Martin

JWM/dar

Enclosures

Copies to:

Cotter and Cotter
Norwest Bank Vida Poling, President
C E C Bill Corwin
Clifford Swallow, VP KFGS Inc.
Ed Thampke ENFD

Valcon Dist Co - Dallas Heron
Dan Powell - KFG, Inc.
Gary Deschanes - Law Firm
Jim Benney - Flathead County

FLATHEAD FEEDS
For Your Farm Needs

Moon Mountain Trail #8
Phoenix, Arizona 85023



Phone: (602) 942-1560
Fax: (602) 993-1012

March 25, 1998

Norwest Bank
201 First Avenue East
Kalispell MT 59901

ATTENTION: Vida Poling, President

Dear Vida,

This letter is connection with Environmental Assessment, which Norwest Bank enacted on property of KFGS Inc., and, also, our meeting in January 1998 at Norwest Bank. At that time you indicated that you would get back to me by phone. I have heard nothing to date.

Previously I have sent you copies of the Environmental Assessment made for Norwest Bank, of which I understand that Norwest Bank had made and paid some \$2,700.00 for. Also, I have sent you correspondence concerning KFGS Inc's., financial condition, which limits KFGS Inc., in making expenditures not covered in the Confirmed Plan of Reorganization.

Taking into consideration of the following, KFGS Inc., is asking that Norwest Bank participate in monetary form to accomplish what the assessment you had made be accomplished.

- 1) Norwest Bank enacted the Assessment.
- 2) Norwest Bank paid for the Assessment.
- 3) All items listed in the Assessment existed long before Norwest Bank engaged themselves in the sale of property to KFGS Inc., correspondence exists that Norwest Bank was aware of the possible environmental problems.
- 4) Norwest Bank had one (1) million dollar plus mortgage on the property, and would naturally want to do what is required to maintain or improve its collateral value.
- 5) I would appreciate it if you would get back to me on this matter soon. My number in Phoenix is 602-993-5530. I will be coming to Montana in April by the first of May.

Respectively Yours,


John W. Martin

JWM/dar

Copies to: Deschanes Law Firm, Clifford Swallow, Jim Benner - Flathead County,
Bill Corwin CEC, Ed Thampke ENFD

FEED

GRAIN

SEEDS

IRRIGATION

FERTILIZER

DEPARTMENT OF ENVIRONMENTAL QUALITY



MEMORANDUM

Permitting and Compliance

MARC RACICOT, GOVERNOR (406) 444-3490

(406) 444-3490
FAX (406) 444-1499

STATE OF MONTANA

OFFICE: METCALF BUILDING
ADDRESS: 1520 E 6TH AVENUE

PO BOX 200901
HELENA, MONTANA 59620-0901

TO: Ed Thamke

FROM: Bob Reinke

DATE: 4/14/98

SUBJECT: Kalispell Feed & Grain Drive Through

RECEIVED

APR 15 1998

MT Dept. of Environmental Quality
Enforcement Division

On 4/9/98 I drove into the Kalispell Feed & Grain area and drove west along the public driveway to the parking lot on the west side of the former Ammy's building (Building C). Without exiting my vehicle, I observed:

- The pile of trash (including a dismantled trailer house) west of the Dirty Deeds building (Building B) is missing. There was no visible charring or other signs of burning in the area.
- The old car wash building formerly located west of Building A has been moved so it abuts the west side of Building B.
- The drum of suspected used oil observed on the west side of Building C was no longer in evidence.
- There seemed to have been construction/remodeling in the front of the Shop Building on the north end of the driving loop.
- There seemed to a repositioning/addition of vehicles around the Shop Building.

A handwritten signature, likely of Bob Reinke, in dark ink.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting & Compliance Division
Air & Waste Management Bureau

FIELD INVESTIGATION REPORT

SITE: Kalispell Feed & Grain

EPA ID#: N/A

LOCATION: 3450 Hwy 93 South, Kalispell

DATE & TIME: 5/13/98 10:08 a.m.

INSPECTION LENGTH: 1½ Hours

CONTACT: John Martin

INSPECTION TEAM: Robert Reinke & David Rise

PURPOSE: Evaluation

REPORT PREPARED BY: Robert Reinke

BACKGROUND: In June, 1997 the Department received a complaint regarding several trash/debris/drum sites located around the Kalispell Feed & Grain (KFG) property. I found the entire site to be owned by John Martin. Mr. Martin rents various portions of the property to other businesses. On August 14, 1997, I participated in an inspection of the site. The results of that inspection were turned over to the DEQ Enforcement Division. The Enforcement Division then engaged in communication with Mr. Martin. Recently, it became apparent that changes in various sites around the property had occurred.

RESULTS OF INSPECTION: David Rise was tasked to update the Enforcement Division's information regarding the site. I agreed to accompany Mr. Rise to advise him of specific changes which may have occurred since the 8/14/97 inspection. Prior to this inspection, Mr. Rise had contacted Mr. Martin via telephone. Mr. Martin had granted permission for this inspection. He did require that we check in with Cliff Swallow (operator of Swallow's Grain Service) When we arrived on-site, we identified ourselves to the office

staff at Swallow's Grain Service. Mr. Swallow was off-site but they were able to reach him via telephone and he advised we were to proceed and he would meet Mr. Rise later in the day.

Mr. Rise and I walked through the area and I pointed out the following to him:

- New construction
- Relocated buildings
- Missing drums
- Moved vehicles
- Moved aboveground storage tanks
- Partially covered soil stains
- A missing debris pile
- Undisturbed drums/containers and stained soil.

After we had conducted that tour, I left the site. Mr. Rise remained at the site to continue his inspection.

WASTE MINIMIZATION REVIEW: N/A

RECOMMENDATIONS: Continue to refer matter to DEQ Enforcement Division.

6/4/98
Date of Inspection Report

[Signature]
SHW Specialist

DEQ ENFORCEMENT DIVISION FIELD INVESTIGATION REPORT

SEQ#: 110

ENFORCE ID: 1101 CVID 1196

STATUS: A

DATE RECEIVED: 06/26/97

INVESTIGATION DATE: 05/13/98

INVESTIGATOR: DAVID RISE

ACCOMPANIED BY: BOB REINKE

AGENCY: DEQ

RESPONSIBLE PARTY:

MARTIN, JOHN

CITY:

KALISPELL

ACTUAL SITE CONTACT: CLIFFORD SWALLOW

ADDRESS: 3450 HWY 93 SOUTH

PHONE #: 752-2394

CITY: KALISPELL

STATE: MT

ZIP: 59901

FAX #:

COUNTY: FLATHEAD

TOWNSHIP: RANGE: SECTION:

TRACT:

CATALOGING UNIT:

LATITUDE: LONGITUDE:

STATION ID:

NEAREST CITY: KALISPELL

WITHIN CITY LIMITS:

LOCATION/DIRECTIONS:

PURPOSE OF INVESTIGATION FOLLOW UP TO PREVIOUS SITE INSPECTION TO DETERMINE
CHANGES IN LOCATIONS OF ITEMS ON SITE.

BACKGROUND: DURING A DRIVE BY ON 04/09/98, BOB REINKE NOTED CHANGES TO
SITE THAT HAD OCCURRED SINCE THE SITE INVESTIGATION ON
08/14/97.

SAMPLES COLLECTED:

SPLIT SAMPLES:

CHAIN OF CUSTODY:

PHOTOS: Y

EQUIPMENT UTILIZED:

MINOLTA SRT 201 CAMERA WITH F 1.7 LENS.

LIST OF ATTACHMENTS:

DOCUMENTED VIOLATIONS:

(MCA/ARM)

DEQ ENFORCEMENT DIVISION FIELD INVESTIGATION REPORT (cont)

SEQ 110

INSPECTION SUMMARY

ARRIVED ON SITE WITH BOB REINKE APROXIAMTELY 1000, CONTACTED PERSONNEL AT LEXTRON ANIMAL HEALTH IN KFGS BUILDING AND ASKED FOR CLIFFORD SWALLOW. THEY CONTACTED SWALLOW BY PHONE AND ADVISED US THAT HE WAS NOT AVAILABLE AT THE MOMENT, BUT WAS SENDING AN EMPLOYEE NAMED BOB TO ESCORT US AROUND THE SITE. WE MET BOB OUTSIDE THE BUILDING AND PROCEEDED TO INSPECT THE SITE. REINKE ADVISED THAT ITEMS APPEARED TO HAVE BEEN MOVED FROM AROUND THE BUILDING HOUSING DONNIE STEVENS TRUCKING SHOP, FROM THE AREA OF THE OLD CAR WASH, AND AROUND THE OLD AMMY'S BUILDING. WE WENT TO EACH OF THOSE SITES AND REINKE EXPLAINED WHAT HAD BEEN LOCATED THERE AND THEN WE TRIED TO LOCATE THE ITEMS IN ANOTHER AREA OF THE KFGS SITE. AT DONNIE STEVENS TRUCKING SHOP, THERE HAD BEEN A FUEL TANK, SEVERAL VEHICLES AND ASSORTED DRUMS AROUND THE FRONT OF THE BUILDING. WHAT APPEARED TO BE THOSE ITEMS HAD BEEN RELOCATED ABOUT 200 YARDS TO THE WEST IN A FIELD NEAR THE OLD CAR WASH LOCATION. THE PESTICIDE CONTAINERS PILED BEHIND THE TRUCKING BUILDING DID NOT APPEAR TO HAVE BEEN DISTURBED. THE OLD CAR WASH BUILDING WAS GONE FROM ITS ORIGINAL SITE. REINKE ADVISED THAT THERE HAD BEEN DRUMS STORED IN THE CAR WASH BUILDING. RUST RINGS COULD STILL BE SEEN ON THE CONCRETE PAD AND THERE WERE NUMEROUS DRUMS AROUND THE CAR WASH BUILDING SITE. THE BUILDING ITSELF HAD BEEN CUT INTO TWO PARTS AND RELOCATED TO THE SOUTH, ATTACHED TO THE WEST SIDE OF BUILDING 'B'.

RECOMENDATIONS

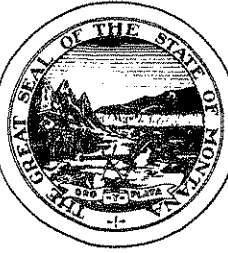
ACTION:

DESCRIPTION/COMMENTS:

DEQ REFERRAL:
OTHER AGENCY REFERRAL:

DATE REFERRED:
DATE REFERRED:

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENFORCEMENT DIVISION



MARC RACICOT, GOVERNOR

Metcalf Building
1520 East Sixth Ave.

STATE OF MONTANA

Phone: (406)444-0379

Fax: (406)444-1923

PO Box 200901

Helena, MT 59620-0901

June 16, 1998

John Martin
5195 Upper Miller Creek Road
Missoula, MT 59803

RE: Field Inspection of KF&GS site on 05/13/98; EID 1101, CVID 1196

Dear Mr. Martin:

Enclosed are copies of my field inspection report for the inspection conducted on May 13, 1998 and activity report concerning your phone call of June 15, 1998. The field inspection was primarily conducted to determine causes of site changes such as new construction, debris removal and relocation of other items on the site. It was also my opportunity to familiarize myself with the site as I had never been there before.

The activity report summarizes our phone conversation of June 15, 1998. As I told you then, prior to initiating clean up of the site, the Department recommends you have the KF&GS site evaluated by a qualified consultant to determine any hazards that may be present and proper disposal requirements for the different items on the site. Concerning the pesticide containers, I contacted Steve Baril of the Agriculture Department by E-mail advising him of your questions and that you would be contacting him. I also sent copies of the E-mail to Greg Murfitt, the Agriculture Enforcement Section Head and Ron Stewart, the field inspector for western Montana.

If you have any questions or concerns please contact me at (406) 444-2411.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Rise".

David Rise
Environmental Enforcement Specialist

Encl.

cc file

Field: _____
Telephone: X
Office: _____

Copy to: _____

RC# _____
County: Flathead

Montana Department Of Environmental Quality
Enforcement Division

ACTIVITY REPORT

Complaint Name: Kalispell Feed and Grain Enforce ID#: 1101 CVID#: 1196

Report by: David Rise Date: 06/15/98 Time: 1530

Contacted/Contacted by: John Martin

Phone: 406-251-2584 Fax: _____

Address: 5195 Upper Miller Creek Road, Missoula, MT 59803

Subject: Field investigation report and site clean up.

Summary of Activity:

John Martin called about the site. Advised he had received a letter from Bob Reinke and was wondering if I was sending him a report. I advised yes and that it was being mailed the next day. Martin then explained some of the missing and moved items noted during the inspection.

Martin said during the seven month gap between the Olympus investigation and the joint MDA/DEQ inspection he had evicted a tenant named O'Neill. He advised the trash pile, old vehicles and house trailer had all belonged to that tenant and the tenant finally cleaned up the site. The old tenant removed the old vehicles and trailer from the site and received a burn permit from Flathead County to burn the trash pile.

The new construction on the old Ammy's building was being done by the new tenant, Powder Coating of Kalispell (PCK). PCK is also responsible for the moving of the old car wash building as they are using it to expand another building that they are also leasing.

The fuel tank and vehicles that had been parked by Donnie Stevens Trucking shop had been moved away from the building, out into the field to make room for trucks to come in and out and park on the site.

Martin also asked about cleaning up the site. He said most of the stuff wasn't hazardous and he wanted to get rid of it. I explained that the DEQ concern was the possibility of

unknown materials in the drums that could be hazardous and that our recommendation was to have the site evaluated by a consultant to determine what clean up procedures would be needed and how the material would need to be disposed. Martin said that his consultant was Bill Corwin of Kalispell, and that he would have him look at the site prior to clean up. He then asked about disposal of the empty pesticide containers behind the trucking shop, and advised that they had been triple rinsed. I advised him that if they had been properly triple rinsed they may be classifiable as solid waste, but he would have to contact the Department of Agriculture to verify that. I provided the phone number of Steve Baril, Chief of MDA's Field Services Bureau to Martin. I readvised him that my field inspection report was enroute and that if he had any questions to contact me.

Recommended Action:



**Corwin
Environmental
Consultants**

3085 Hwy 93 South
P.O. Box 8961
Kalispell, MT 59904
(406) 257-2734
FAX: (406) 756-9708

June 19, 1998

Mr. John W. Martin
Kalispell Feed & Grain
3450 Highway 93 South
Kalispell, MT 59901

Reference: Site Clean-up and Remediation

Dear John:

I thought that it might be helpful to you if I provided you with a scope of work and estimated associated fees for services at KF & G. Corwin Environmental Consultants is anxious to work with you on this project and is willing to coordinate work with Russell Beree or other representatives as you desire. Below, I have briefly described a scope of work and tasks involved in the initial discovery and evaluation of management options.

Task 1 Inventory and Material Segregation

Initially we need to establish an inventory of the hazardous materials that will require off-site disposal. An inspection will be conducted to itemize materials of concern, then these will be segregated by similar classifications.

Task 2 Hazard Categorization and Substance Testing

Unknown chemical containers must be categorized by hazard class. To the extent possible this will be accomplished using on-site testing methods. Some sampling and laboratory analysis may be required to determine disposal options. Disposal options may include reuse, recycling, or disposal as a hazardous waste. The first two options are much less expensive and therefore are preferred.

Task 3 Soil Contamination Assessment

As a result of spillage petroleum hydrocarbon impact to the soil may have occurred. Augering and/or trenching followed with sample collection and laboratory analysis may be necessary to determine horizontal and vertical extent of suspect contamination.

Task 4 Remediation/Disposal Costs

Based on the findings of Tasks 1, 2 and 3 an estimate for required remediation and off-site disposal can be prepared. Additionally, competitive bids for contracted work (if necessary) can be solicited.

Mr. John Martin
June 19, 1998, Page 2 of 2

Corwin Environmental Consultants will offer the services as described above on a time and materials basis. My professional fee is \$85.00 per hour. A 20% volume discount will be applied to all fees after the first 20 hours. Materials and outside services such as laboratory analysis will be billed at cost. I have tried to estimate the amount of time for each task as follows.

Task 1	Labor	12-15 hrs.
	Materials and Equipment	\$50
Task 2	Labor	8-12 hrs.
	Materials and Equipment	\$150
	Laboratory Analysis	\$800-\$1200
Task 3	Labor	12-15 hrs.
	Materials and Equipment	\$200
	Laboratory Analysis	\$450-\$750
Task 4	Labor	8-10 hrs.

Corwin Environmental Consultants can work on a not to exceed an authorized amount basis. Due to the financial status of KF & G I would require an up front retainer or some other form of payment guarantee.

I hope that this information is helpful to you and I look forward to working with you on this endeavor.

Respectfully,



Bill Corwin
President

FOLLOW UP ACTION/ACTIVITY REPORT

SEQ#: 672

STATUS: A

CVID: 1196

CLOSURE DATE:

FID:

DATE RECEIVED: 06/26/97

ENFORCE ID: 1101
RESPONSIBLE PARTY: MARTIN, JOHN

CITY: KALISPELL

FOLLOW UP ACTIVITIES:

DATE: 07/13/98
TIME: 10:36AM
NAME: DAVID RISE

DESCRIPTION/COMMENTS:

CONTACTED JOHN MARTIN ABOUT PESTICIDE CONTAINER REMOVAL. HE ADVISED THAT HE HAS HAD HIS CONSULTANT, BILL CORWIN, WORKING ON SITE AND THAT PESTICIDE CONTAINERS HAVE BEEN REMOVED. CONTACTED BILL CORWIN ABOUT SITE CLEAN UP TO ASK FOR REPORT. CORWIN GAVE ME THE FOLLOWING RUN DOWN OF WHAT HAS GONE ON SO FAR. PESTICIDE CONTAINERS REMOVED WITH EXCEPTION OF DINITRO AMINE (DINOSEB) CONTAINER. THIS CONTAINS AN UNKNOWN SUBSTANCE AND WILL BE PUT WITH ABOUT FIVE OR SIX OTHER CONTAINERS FOR DISPOSAL AS HAZARDOUS WASTE. USED OIL FROM VARIOUS BUCKETS, DRUMS, ETC. CONSOLIDATED, PETRO RECYCLER CONTACTED FOR PICKUP AND DISPOSAL. SCRAP METAL DEALER CONTACTED TO CUT UP AND REMOVE ALL SCRAP METAL. WHEN MAJOR PORTION OF SITE IS CLEANED UP OF CONTAINERS AND DEBRIS, SITE WILL BE MOWED AND THEN INSPECTED FOR PETROLEUM OR OTHER CONTAMINATION. AT THAT TIME SOILS WILL BE TESTED, INCLUDING SOILS UNDER PESTICIDE CONTAINER STORAGE AREA. ALL PESTICIDE CONTAINERS WERE TRIPLE RINSED OR MORE, RINSATE CONTAINED AND WILL BE APPLIED AS A PESTICIDAL PRODUCT TO LAND AREA AT SITE. CORWIN ADVISED THAT THE ONLY CONTAINERS THAT DID NOT RINSE CLEAR IMMEDIATELY APPEARED TO BE RINSING OUT RUSTY WATER, HOWEVER WILL STILL BE APPLIED AS PESTICIDAL PRODUCT. CORWIN WILL SENT COPY OF REPORT TO DEQ-ENFD.



**Corwin
Environmental
Consultants**

3085 Hwy 93 South
P.O. Box 8961
Kalispell, MT 59904
(406) 257-2734
FAX: (406) 756-9708

July 29, 1998

Ms. Jodie Mason
VIA FAX: 406.782.9968

Reference: Hazardous Waste Profile

Dear Jodie:

The following is the information you requested regarding the various hazardous waste generated from a cleanup project I am working on here in Kalispell.

The facility name and address is:
Kalispell Feed & Grain Supply, Inc.
3459 Highway 93 South
Kalispell, MT 59901

Site owner contact: Mr. John W. Martin, President (406) 251-2584

The waste for disposal is as follows:

- 1) 2 x 30 gallon drums
Bluish colored liquid, oily consistency (pesticide screen) #8081 180
Reportedly potato spray herbicide - 2 liter glass 8150 200
04C
- 2) 2 x 16 gallon drums
Caustic solution, pH 13 to 14 (verify, if possible)
Reported boiler compound
- 3) 1 x 55 gallon drum, partially full (MSDS)
Orange/red liquid, oily consistency
Labeled Dinitro Amine contains Dinoseb herbicide
- 4) 11 x 55 gallon drums (Waste mgmt. Great Falls)
Animal fat

The drums are not suitable for transportation so CEC will repackage the waste into suitable DOT 55-gallon drums. Let me know what additional information you may require for waste profiling.

Respectfully,

Bill Corwin
President

Evergreen Disposal Inc.

55 West Valley Drive
Kalispell, MT 59901
(406) 257-1739

INVOICE/STATEMENT

PAGE: 1

INVOICE: 10210772

DUE DATE: 08/10/98

CORWIN ENVIRONMENTAL CONSULT.
P.O. BOX 8961
KALISPELL MT 59904

ACCOUNT NO.	BILLING DATE
COM01017	07/31/98
\$	
AMOUNT REMITTED	

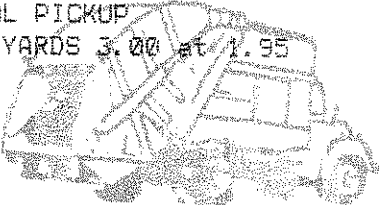
!!! PLEASE NOTE NEW RATE !!!

KALISPELL FEED & GRAIN

KALISPELL MT 59901

PLEASE DETACH AND RETURN WITH YOUR PAYMENT



DATE	DESCRIPTION	CHARGES	PAYMENTS	BALANCE	
/31/98	BALANCE FORWARD	0.00		0.00	
/08/98	DELIVERY CHARGE	25.00		25.00	
/08/98	SPECIAL PICKUP	39.00		64.00	
/09/98	SPECIAL PICKUP	30.00		94.00	
/09/98	EXTRA YARDS 3.00 at 1.95	5.85		99.85	
					
CURRENT		30 DAYS	60 DAYS	90 DAYS	AMOUNT DUE
99.85		0.00	0.00	0.00	99.85

EVERGREEN DISPOSAL INC.
55 WEST VALLEY DRIVE
KALISPELL, MT 59901
(406) 257-1739

TERMS: **1½% Late charge due on balances outstanding more than 30 days from date of invoice** (18% per annum) 3% discount if paid within 10 days.

THANK YOU

24-Hour Spill Response
1-406-443-3087
(Olympus)



Oil Waste Processors Inc.

16141

P. O. Box 2903
Great Falls, MT 59403

EPA ID#
MTD 982590739
FAX 761-4503 PHONE 761-3512

Plant Located
172 N. Manchester Rd.

CORNIN ENVIRONMENTAL CONSULTANTS			BILL		Date		Billing Address	
Name			City		State		Zip	
KALISPELL, MT			257-2734					
Address			City		State		Zip	
Receiving Facility:						Payment Terms		
Driver			Truck No.		City		State	
TROY ROQUETTE			13					
Trailer No.			City		State		P.O.#	
Gallons	Description	Rate Per Gallon	Rate Per Mile	Miles Hauled	Rate Per Hour	Charge		
110	COMBUSTIBLE LIQUID N.O.S.					47.50		
	HA 1993 T11 (USED OIL)							
	SITE: KALISPELL SEED & GRAIN							
						47.54		
<p>Customer warrants that the waste petroleum products being transferred by the above collector do not contain any contaminants including, without limitation, pesticides, chlorinated solvents at concentrations greater than 1000 PPM, PCB's at greater concentrations greater than 2 PPM (or 50 PPM with Manifest), or any other material classified as hazardous waste by 40 CFR part 261, Subparts C and D (implementing the Federal Resource Conservation and Recovery Act) or by any equivalent State hazardous waste or hazardous substance classification program. Should laboratory tests find this waste product not in compliance with 40 CFR Part 261, customer (generator) agrees to pay for all disposal costs incurred.</p>								
Signed X <i>[Signature]</i>				Date <i>2/2/98</i>				

ENERGY LABORATORIES, INC
P.O. Box 30916 1120 South 27th Street
Billings, Montana 59107

toll-free 800-735-4489
voice 406-252-6325
fax 406-252-6069

CHAIN OF CUSTODY RECORD

PLEASE PRINT OR TYPE ALL
INFORMATION EXCEPT SIGNATURES

P.O. #		Project Name / Address		number of containers	Sample Type: A W S V U O Air Water Soils/solids Vegetation Urine Other	Analysis Requested										Comments, Special Instructions, etc.
Contact Name & Phone		Sampler's signature				F-listed solvents	Flash Point	Pesticide Screen	Herbicide Screen	PH (alkalinity)	Sodium	8081	8157			
DATE	TIME	composite	grab sample	Invoice to:	Report to:											
				CEC P.O. Box 8961 Kalispell, MT 59904	same as above											
08/12/98	0840	X		KF 1/2 G Drum 06		1-0	X	X								
08/12/98	0907	X		KF 1/2 G Drum 01		1-0										Hold for now
08/12/98	0924	X		KF 1/2 G Drum 02		1-0		X	X							
08/12/98	0935	X		KF 1/2 G Drums 03 & 04		1-0				X	X					
1. Relinquished (signature)		Date	Time	Received by: (signature)		3. Relinquished (signature)		Date	Time	Received by: (signature):						
Bill Corwin		8/12/98	1340													
2. Relinquished (signature)		Date	Time	Received by: (signature)		4. Relinquished (signature)		Date	Time	Received for laboratory by (signature):						
								08/13/98	1415	Linda Holcher						

**ENERGY LABORATORIES, INC.**P.O. BOX 30916 • 1120 SOUTH 27TH STREET • BILLINGS, MT 59107-0916 • PHONE (406) 252-6325
FAX (406) 252-6069 • 1-800-735-4489 • E-MAIL eli@energylab.com

Client: Corwin Environmental Consultants
Date Sampled: 12-AUG-98
Date Received: 13-AUG-98
Extraction Date: 20-AUG-1998
Analysis Date: 25-AUG-1998 05:05
Project Info: KF & G Kalispell
Sample Info: Drum 01

Lab No.: 98-52661
Report Date: 08/28/98 10:01
Sample Matrix: Waste
Extraction Method: EPA 8151
Prep Info: 0.1L->4.0mL

EPA METHOD 8151: CHLORINATED ACIDS ANALYSIS REPORT

CONCENTRATION UNITS = ug/L (ppb)			
COMPOUNDS	CAS NO.	RESULT	QUALIFIER
Aciflourfen	50594-66-6	<2000	U
Bentazon	25057-89-0	<10000	U
Chloramben	133-90-4	<2000	U
2,4-D	94-75-7	<4000	U
2,4-DB	94-82-6	<10000	U
Dacthal	2136-79-0	<4000	U
Dalapon	75-99-0	<40000	U
Dicamba	1918-00-9	<1000	U
3,5-Dichlorobenzoic acid	51-36-5	<2000	U
Dichlorprop	120-36-5	<4000	U
Dinoseb	88-85-7	3300000	D
MCPA	94-74-6	<800000	U
MCPP	93-65-2	<800000	U
4-Nitrophenol	100-02-1	<2000	U
Pentachlorophenol	87-86-5	<400	U
Picloram	1918-02-1	<2000	U
2,4,5-T	93-76-5	<800	U
2,4,5-TP (Silvex)	93-72-1	<800	U

----- SURROGATE RECOVERY REPORT -----				
Surrogate Compound	Added-ug/L	Measured-ug/L	%Rec	QC Limits
Dichlorophenyl acetic acid		DILUTED OUT		

QUALIFIER CODE EXPLANATIONS AND NOTES:

- U= Indicates compound was analyzed for but not detected.
D= Value derived from a 100,000 times dilution of the sample extract.

REPORT COMMENTS: The sample was diluted 4000 times before analysis due to the sample matrix. The Practical Quantitation Limit reflects the 4000 times dilution.

Analyst: JH/HW Reviewing Supervisor: mg /chem/DECD.i/D081898.b/d0818105.d

**ENERGY LABORATORIES, INC.**

P.O. BOX 30916 • 1120 SOUTH 27TH STREET • BILLINGS, MT 59107-0916 • PHONE (406) 252-6325
FAX (406) 252-6069 • 1-800-735-4489 • E-MAIL eli@energylab.com

Client: Corwin Environmental Consultants
Date Sampled: 12-AUG-98 09:24
Date Received: 13-AUG-98
Extraction Date: 14-AUG-1998
Analysis Date: 20-AUG-1998 09:08
Project Info: KF&G Kalispell
Sample Info: KF&G Drum 02

Lab No.: 98-52132
Report Date: 09/02/98 08:20
Sample Matrix: WATER
Extraction Method: EPA 8151
Prep Info: 0.1L->4.0mL

EPA METHOD 8151: CHLORINATED ACIDS ANALYSIS REPORT

CONCENTRATION UNITS = ug/L (ppb)			
<u>COMPOUNDS</u>	<u>CAS NO.</u>	<u>RESULT</u>	<u>QUALIFIER</u>
Aciflourfen	50594-66-6	<2.0	U
Bentazon	25057-89-0	<10	U
Chloramben	133-90-4	<2.0	U
2,4-D	94-75-7	<4.0	U
2,4-DB	94-82-6	<10	U
Dacthal	2136-79-0	<4.0	U
Dalapon	75-99-0	<40	U
Dicamba	1918-00-9	<1.0	U
3,5-Dichlorobenzoic acid	51-36-5	<2.0	U
Dichlorprop	120-36-5	<4.0	U
Dinoseb	88-85-7	<4.0	U
MCPA	94-74-6	<800	U
MCPP	93-65-2	<800	U
4-Nitrophenol	100-02-1	<2.0	U
Pentachlorophenol	87-86-5	1.2	
Picloram	1918-02-1	<2.0	U
2,4,5-T	93-76-5	<0.80	U
2,4,5-TP (Silvex)	93-72-1	<0.80	U

SURROGATE RECOVERY REPORT

<u>Surrogate Compound</u>	<u>Added-ug/L</u>	<u>Measured-ug/L</u>	<u>%Rec</u>	<u>QC Limits</u>
Dichlorophenyl acetic acid	40.0	41.4	103	70--130

QUALIFIER CODE EXPLANATIONS AND NOTES:

U= Indicates compound was analyzed for but not detected.

REPORT COMMENTS: None

Analyst: JKH Reviewing Supervisor: MD /chem/DECD.i/D081898.b/d0818076.d



ENERGY LABORATORIES, INC.

P.O. BOX 30916 • 1120 SOUTH 27TH STREET • BILLINGS, MT 59107-0916 • PHONE (406) 252-6325
FAX (406) 252-6069 • 1-800-735-4489 • E-MAIL eli@energylab.com

Client: Corwin Environmental Consultants
Date Sampled: 12-AUG-98 08:40
Date Received: 13-AUG-98
Analysis Date: 25-AUG-1998 18:34
Project Info: KF&G Kalispell
Sample Info: KF&G Drum 06

Lab No.: 98-52131
Report Date: 08/26/98 10:10
Extraction Method: EPA 5030
Sample Matrix: WASTE

F SERIES SOLVENT SCAN REPORT

COMPOUNDS	CAS NO.	CONCENTRATION UNITS = ug/g (ppm)	RESULT	QUALIFIER
Acetone	67-64-1		<50000	
Benzene	71-43-2		<1000	U
Isobutanol	78-83-1		<50000	U
n-Butanol	71-36-3		<50000	U
Carbon disulfide	75-15-0		<1000	U
Carbon tetrachloride	56-23-5		<1000	U
Chlorobenzene	108-90-7		<1000	U
Cresols			<200	U1
Cyclohexanone	108-94-1		<50000	U
1,2-Dichlorobenzene	95-50-1		<1000	U
Ethyl acetate	141-78-6		<20000	U
Ethyl benzene	100-41-4		159000	D
Ethyl ether	60-29-7		<20000	U
Methyl isobutyl ketone	108-10-1		<20000	U
Methylene chloride	75-09-2		<1000	U
Methanol	67-56-1		<5	U2
Methyl ethyl ketone	78-93-3		<20000	U
Nitrobenzene	98-95-3		<97	U1
Pyridine	110-86-1		<196	U1
Tetrachloroethene	127-18-4		<1000	U
Toluene	108-88-3		128000	D
1,1,1-Trichloroethane	71-55-6		<1000	U
1,1,2-Trichloroethane	79-00-5		<1000	U
Trichloroethene	79-01-6		<1000	U
Trichlorofluoromethane	75-69-4		<1000	U
Trichlorotrifluoroethane	354-58-5		<2000	U
m+p-Xylenes	108383/106423		476000	DD
o-Xylene	95-47-6		126000	D

SURROGATE RECOVERY REPORT

Surrogate Compound	Added-ug/g	Measured-ug/g	%Rec	QC Limits
1,2-Dichloroethane d4	10000	8830	88	80--120
Toluene d8	10000	8480	85	80--120
p-Bromofluorobenzene	10000	9000	90	80--120
2-Fluorophenol	1960	1670	86	25--121
Phenol-d5	1960	2030	105	24--113
Nitrobenzene-d5	981	704	72	23--120
2-Fluorobiphenyl	981	758	78	30--115
2,4,6-Tribromophenol	1960	1800	93	19--122
Terphenyl-d14	981	738	76	18--137
sec-Butyl Alcohol	20	184	**	80--120

QUALIFIER CODE EXPLANATIONS AND NOTES:

U= Indicates compound was analyzed for but not detected.

Except where otherwise noted, the analysis was done by EPA Method 8260.

1= Analysis by EPA Method 8270B. Extracted 14-AUG-1998; Analyzed 17-AUG-1998

2= Analysis by EPA Method 8015. Analyzed 26-AUG-1998

D= Value derived from a 5000 times dilution of the sample extract.

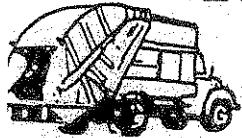
DD= Value derived from a 50000 times dilution of the sample extract.

*** Surrogate recovery not measurable due to sample matrix interference.

REPORT COMMENTS: None

Analyst: sa/asm/akp Reviewing Supervisor: nmj

Evergreen Disposal Inc.



55 West Valley Drive
Kalispell, MT 59901
(406) 257-1739

INVOICE/STATEMENT

PAGE: 1

INVOICE: 10222024

DUE DATE: 09/15/98

CORWIN ENVIRONMENTAL CONSULT.
P.O. BOX 8961
KALISPELL MT 59904


ACCOUNT NO.	BILLING DATE
COM01017	08/31/98
\$	
AMOUNT REMITTED	



ISPELL FEED & GRAIN

KALISPELL MT 59901

PLEASE DETACH AND RETURN WITH YOUR PAYMENT

DATE	DESCRIPTION	CHARGES	PAYMENTS	BALANCE	
31/98	BALANCE FORWARD	99.85		99.85	
17/98	CORREC 7-9-98 PICKUP CHARGE	9.00		108.85	
26/98	EMPTY AND PULL 6 YD	39.00		147.85	
31/98	LATE CHARGE COMMERCIAL	1.50		149.35	
					
CURRENT		30 DAYS	60 DAYS	90 DAYS	AMOUNT DUE
JNT > S	49.50	99.85	0.00	0.00	149.35

GREEN DISPOSAL INC.
55 WEST VALLEY DRIVE
KALISPELL, MT 59901
(406) 257-1739

TERMS: **1½% Late charge due on balances outstanding more than 30 days from date of invoice** (18% per annum) 3% discount if paid within 10 days.

THANK YOU



**Corwin
Environmental
Consultants**

3085 Hwy 93 South
P.O. Box 8961
Kalispell, MT 59904
(406) 257-2734
FAX: (406) 756-9708

September 14, 1998

Ms. Jodie Mason
VIA FAX: 406.782.9968

Reference: KF & G Hazardous Waste Profile, Laboratory Results

Dear Jodie:

Attached are the laboratory results from the drums of waste chemical at Kalispell Feed & Grain in Kalispell. A description of the drums which correspond to the laboratory results are as follows:

- Drum 01: Two partially full 30 gallon drums. Yellow/orange liquid.
- Drum 02: Mostly full 30 gallon drum. Clear/bluish liquid w/ oily consistency.
- Drum 03: Full 16 gallon drum. Clear aqueous liquid.
- Drum 04: Same as Drum 03.
- Drum 05: Same as Drum 02.
- Drum 06: Two thirds full 55 gallon drum. Liquid w/solvent odor.

CEC will repackage the waste into suitable containers for shipping. Let me know if any of the waste can be commingled into single containers.

Respectfully,

A handwritten signature in cursive script that reads 'Bill Corwin'.

Bill Corwin
President

Drum 01 - (2 partial 30 gal drums)

- 30 gal capacity ~ $\frac{1}{3}$ full

- yellow/orange liquid

- labeled Dinitroamine - Contains Phosels (Paw Product)

- collected 1 L sample

hazardous
waste

Drum 02

- 30 gal

- mostly full

- bluish oil (reportedly herbicide)

- collected ~~1000~~ sample 1 L sample

1.2 ppb
pentachlorophenol

Drums 03 & 04

- 2 drums 16 gal capacity

- full and previously uncapped

- no labels

- pH 13-14

- reportedly NaOH

- collected VOA vial sample

CaCO_3
pH 12

Drum 05

- 30 gal capacity

- mostly full

- contents unknown (could not open)

(bluish oil,
same as Drum #02)

Drum 06

- 55 gal (open head)

- $\frac{2}{3}$ full with solvent (paint thinner)

- collected VOA vial sample

xylene

~ 1 hr

FOL W UP ACTION/ACTIVITY REPO.

SEQ#: 841

STATUS: A

CVID: 1196

CLOSURE DATE:

FID:

DATE RECEIVED: 06/26/97

ENFORCE ID: RESPONSIBLE PARTY:
1101 MARTIN, JOHNCITY:
KALISPELL

FOLLOW UP ACTIVITIES:

DATE: TIME: NAME:
12/15/98 08:30AM DAVID RISE

DESCRIPTION/COMMENTS:

CONTACTED: BILL CORWIN, CORWIN ENVIRONMENTAL CONSULTANTS, 3085 HWY 93 SOUTH, PO BOX 8961, KALISPELL, MT 59904, 257-2734, 756-9708 FAX. CONTACTED CORWIN FOR AN UPDATE OF KFGS SITE CLEAN UP. CORWIN ADVISED THAT ALL USED OIL HAD BEEN CONSOLIDATED INTO LARGER CONTAINERS AND THEN DISPOSED THROUGH A USED OIL RECYCLER. THE DRUMS OF ANIMAL FAT WERE DISPOSED THROUGH A DOG FOOD MANUFACTURER IN SPOKANE, WA. ALL EMPTY DRUMS HAVE BEEN DEHEADED, BOTH ENDS, AND ARE STILL ON SITE. CORWIN IS PLANNING ON DISPOSAL AT FLATHEAD COUNTY LANDFILL. THERE IS A TRAILER ON SITE ABOUT 1/2 FULL OF GRANULAR WEED KILLER. DISPOSAL OF THIS WILL BE DONE ON SITE ACCORDING TO LABEL RATES FOR WEED CONTROL. THE UST'S HAVE BEEN REMOVED, BUT ARE STILL ON SITE AT THIS TIME. THERE ARE FIVE DRUMS THAT WERE CLASSED AS HW BY SAMPLING. THREE DRUMS OF SOLVENTS, ONE DRUM OF PENTACHLOROPHENOL CONTAMINATED WATER, AND ONE PARTIAL DRUM OF DINOSEB CONTAINING PESTICIDE. THESE DRUMS WILL BE DISPOSED OF AS HW, DRUMS HAVE NOT BEEN MOVED FROM THEIR INITIAL LOCATIONS ON SITE. I ADVISED CORWIN I WOULD CHECK WITH DEPT. OF AGRICULTURE TO SEE IF ANY OF THE PESTICIDE DISPOSAL PROGRAMS WERE STILL OPERATIVE. I THEN WENT AND LOOKED AT THE SITE. OVERALL IT LOOKS MUCH CLEANER THAN THE LAST VISIT, CORWIN IS WORKING ON SITE AS JOHN MARTIN PROVIDES HIM FUNDS. CORWIN SAID IT IS GOING SLOWER THAN EXPECTED, BUT HE HAS GOT A LOT DONE.



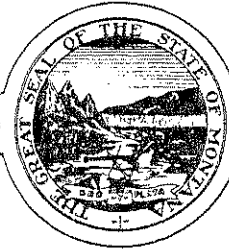
Bill Corwin
President

Corwin Environmental Consultants

3085 Hwy 93 South
P.O. Box 8961
Kalispell, MT 59904

(406) 257-2734
FAX: (406) 756-9708

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENFORCEMENT DIVISION



MARC RACICOT, GOVERNOR

Metcalf Building
1520 East Sixth Ave.

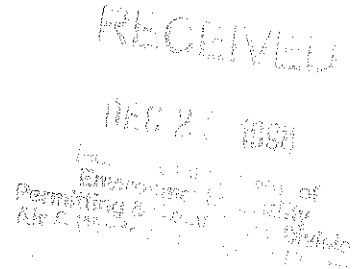
STATE OF MONTANA

Phone: (406)444-0379
Fax: (406)444-1923

PO Box 200901
Helena, MT 59620-0901

December 23, 1998

Corwin Environmental Consultants
PO Box 8961
Kalispell, MT 59904



RE: John Martin/Kalispell Feed and Grain; EID 1101, CVID 1196

Dear Mr. Corwin:

Thank you for taking the time to visit with me and give me an update of the ongoing clean up of the Kalispell Feed and Grain Supply property. On reviewing the information you provided me I came up with a few concerns and need you to provide me with additional information addressing them.

In review of previous reports, photos and inventories of the site, I could find no mention of the white trailer containing granular herbicide. Pertaining to the contents of the trailer I need you to provide the following: the active ingredient of the herbicide and percent or other value of active ingredient in the herbicide, a label if available, the total quantity of the herbicide in pounds, and where the herbicide was prior to being stored in the trailer on site. Our concern is the possibility of additional hazardous materials being transported onto the site.

You said there were five drums on site classed as hazardous waste. One of the drums was the DOW Dinitro Amine drum, I need to know an estimate of how much of the compound is in the drum and also require a copy of the analytical results. The primary concern is the Dinoseb. If more than 2.5 pounds of Dinoseb are on site, the site needs to be registered with DEQ as a major generator. Information needed on the remaining four drums classed as hazardous waste are as follows: approximate location on site, contents and approximate amount, copies of the analytical results.

The last concern I have is pesticide containers located on the north side of the irrigation building. There is a row of wood boxes along the side of the building. One of these boxes contains numerous canisters labeled as aluminum phosphide. Aluminum phosphide is a rodenticide which produces phosphine gas on contact with moisture. The location is adjacent to building A, location 19 on the Olympus site diagram.

Corwin Environmental Consultants

Page 2

December 23, 1998

To assist you in providing this information, I have enclosed a copy of reports and diagrams from Bob Reinke, Department of Environmental Quality and Ron Stewart, Department of Agriculture. Also enclosed, minus appendices, is a copy of the Olympus Environmental, Inc. Phase I ESA. I am particularly interested in the status of several sealed drums described in Bob Reinke's report as being in locations #9 and #10 on the Olympus site diagram. I need you to advise me of what became of these drums. Whether they are part of the five drums you told me about, if so what are the contents, if not what became of them. My main concern is the possibility of a release in the area where these drums were located.

I contacted the Department of Agriculture concerning possible pesticide disposal. The program expires in June 1999, however, the 1999 legislature is being asked to reauthorize the program for another five years. If the program is not reauthorized there are enough remaining funds for one more collection which will occur in Spring 1999. I will keep you advised as I obtain further information.

I hope the information I provided you is enough for you to answer my questions. If you have any questions concerning this letter or the site, please contact me at (406) 444-2411. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Rise", followed by a horizontal line.

David Rise
Environmental Enforcement Specialist

encl.

cc: Bob Reinke, DEQ, Permitting & Compliance, Air Waste Management
Ron Stewart, MDA, 929 SW Higgins, Suite C, Missoula, MT 59803-1422
John Martin, Moon Mountain Trail #8, Phoenix, AZ 85023
file



Corwin
Environmental
Consultants

3085 Hwy 93 South
P.O. Box 8961
Kalispell, MT 59904
(406) 257-2734
FAX: (406) 756-9708

February 18, 1999

State of Montana
Department of Environmental Quality
Enforcement Division
P.O. Box 200901
Helena, MT 59620-0901

Attention: Mr. David Rise

Reference: Kalispell Feed and Grain

COPY

RECEIVED

FEB 22 1999

MT Dept. of Environmental Quality
Enforcement Division

Dear Mr. Rise:

In response to your letter dated December 23, 1998 I have prepared for you the following information. I received a visit at my office with Mr. Ronald Stewart of the State Department of Agriculture. I reviewed with him information pertaining to the Ammate X herbicide and the Dinoseb containing herbicide.

The granular herbicide remaining on site is a DuPont product called Ammate X-NI Weed & Brush Killer. The active ingredient is ammonium sulfamate 95%. The EPA registration number is 352-311. There are fifteen 60 pound bags in the trailer. It could not be determined where the herbicide was prior to being on the site, but it appears to have been on the site for quite some time. I have enclosed a copy of the MSDS for the Ammate X.

Two, mostly full, 30 gallon drums of DOW Dinitro Amine are on the site. A sample of this material was collected for laboratory analysis of chlorinated acids. The laboratory report revealed 3,300,000 ppb Dinoseb. A copy of the laboratory report is attached. The actual weight of Dinoseb is calculated below.

$$\begin{aligned} 3,300,000 \text{ ppb} &= 3,300 \text{ ppm} \\ 1 \text{ ppm} &= .0001\% \end{aligned}$$

$$\begin{aligned} 3,300 \times .0001 &= .330\% \text{ or } .0033 \\ .0033 \times 60 \text{ gallons} &= .198 \text{ gallons Dinoseb} \end{aligned}$$

The specific gravity of DOW Dinitro Amine is not certain. The relative density of Dinoseb is 1.3. The weight of Dinoseb would therefore be $.198 \times 8.34 \text{ lbs./gallon} \times 1.3$ or 2.15 pounds. This quantity is below the 2.5 pound concern you mentioned.

Mr. David Rise
February 18, 1999, Page 2 of 2

I was at the KF & G property today and the entire area is looking much better. A lot of the scrap has been removed and weeds have been cleared. The empty containers of aluminum phosphide could not be located, so I must presume that they have been discarded.

If you require any further information you can contact me at 406-844-3312.

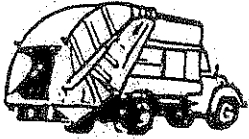
Respectfully,

A handwritten signature in cursive script, appearing to read "Bill Corwin".

Bill Corwin
President

enclosures

Evergreen Disposal Inc.



55 West Valley Drive
Kalispell, MT 59901
(406) 257-1739

INVOICE/STATEMENT


CORWIN ENVIRONMENTAL CONSULT
P O BOX 8961
KALISPELL, MT 59904

ACCOUNT NO.	BILLING DATE
109282	04/30/99
\$ 39.00	
AMOUNT REMITTED	

SERVICE AT: FEED & GRAIN

PLEASE RETURN ONE COPY WITH YOUR PAYMENT.



DATE	DESCRIPTION	CHARGES	PAYMENTS	BALANCE
4/16/99	PRIOR BALANCE 34X01025 6Y EXTRA PICKUP 04/16/99 	39.00		.00
CURRENT	30 DAYS	60 DAYS	90 DAYS	AMOUNT DUE
39.00	.00	.00	.00	39.00

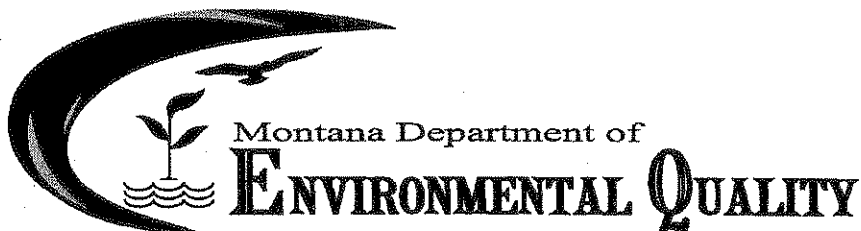
OUNT
TUS >

EVERGREEN DISPOSAL INC.
WEST VALLEY DRIVE
KALISPELL, MT 59901
(406) 257-1739

TERMS: **1 1/2% Late charge due on balances outstanding more than 30 days from date of invoice** (18% per annum) 3% discount if paid within 10 days.

PAGE 1 OF 1

THANK YOU



ENFORCEMENT DIVISION ACTIVITY REPORT

Field: ☐
Telephone: ☒
Office: ☐

Copy to:

RC#:

County: Flathead

Complaint Name: Kalispell Feed & Grain

FID #:

Enforce ID#: 1101

CVID#: 1196

Report by: David Rise

Date: 08/23/99

Time: 1402

Contacted/Contacted by: Bill Corwin

Phone: (406) 844-3312

Fax: (406) 844-2198

Address: P.O. Box 8961, Kalispell, MT 59904

Subject: KFGS site cleanup.

Summary of Activity: Bill Corwin called and advised that he had collected soil samples from the area where the empty pesticide cans had been stored and wanted to talk about analytical methodology. He said most of the cans were for Fargo (triallate) and RoundUp (glyphosate). Using the data available on the two chemicals from the USDA/ARS and Oregon State University, I determined that both chemicals were low to very low leachers. Corwin felt that analyses for phenoxy containing pesticides (EPA Method 8151) and organochlorine pesticides (EPA Method 8081) would be the best analyses to run on the samples to determine if the site needed further remediation. On reviewing the analyte lists for each method I agreed with Corwin and advised him to run those two analyses on the samples.

Corwin also advised that he had been in contact with Dan Sullivan of the Agriculture Department. Corwin has pre-registered the site and chemicals with the MDA pesticide pickup program and will have the waste pesticides removed in June of 2000. He said he would keep me advised as the site clean up progresses.

Recommended Action: Keep complaint open until clean up complete.



Montana Department of

ENVIRONMENTAL QUALITY

MEMO

TO: Bob Reinke

FROM: David Rise

DATE: October 7, 1999

SUBJECT: Soil sampling results from Kalispell Feed and Grain

I received the analyticals yesterday and have copies attached for you. Regarding the toxaphene levels, are there any hazardous waste concerns or clean up requirements for these levels? Let me know, thanks.

KFAS INC
D-022681
6/28/49 INC.

Post-it® Fax Note 7671		Date 2/15	# of pages 3
To RON STEWART	From DAVID RISE		
Co./Dept. AGR	Co. OEG		
Phone #	Phone # 444-2411		
Fax # 549-7238	Fax # 444-1923		

**ENERGY LABORATORIES, INC.**P.O. BOX 30916 • 1120 SOUTH 27TH STREET • BILLINGS, MT 59107-0916 • PHONE (406) 252-6325
FAX (406) 252-6069 • 1-800-735-4489 • E-MAIL eli@energylab.comClient: Corwin Environmental Consultant
Date Sampled: 11-AUG-99 10:30
Date Received: 13-AUG-99
Extraction Date: 16-AUG-1999
Analysis Date: 07-SEP-1999 17:50
Project Info: KF & G, KALISPELL
Sample Info: 98-035-SS (SURFACE SOIL)Lab No.: 001-99-55805
Report Date: 09/09/99 09:33
Sample Matrix: SOIL; Moisture=27%
Extraction Method: EPA 3550
Prep Info: 0.012kg->4.0mL**EPA METHOD 8081: ORGANOCHLORINE PESTICIDES & PCBs ANALYSIS REPORT**

COMPOUNDS	CONCENTRATION UNITS = ug/kg (ppb)		QUALIFIER
	CAS NO.	RESULT	
Aldrin	309-00-2	<17	U
alpha-BHC	319-84-6	<17	U
beta-BHC	319-85-7	<17	U
delta-BHC	319-86-8	<17	U
gamma-BHC (Lindane)	58-89-9	<17	U
alpha-Chlordane	5103-71-9	<17	U
gamma-Chlordane	5103-74-2	<17	U
4,4'-DDD	72-54-8	<33	U
4,4'-DDE	72-55-9	<33	U
4,4'-DDT	50-29-3	<33	U
Dieldrin	60-57-1	<33	U
Endosulfan I	959-98-8	<17	U
Endosulfan II	33213-65-9	<33	U
Endosulfan sulfate	1031-07-8	<33	U
Endrin	72-20-8	<33	U
Endrin aldehyde	7421-36-3	<33	U
Endrin ketone	53494-70-5	<33	U
Heptachlor	76-44-8	<17	U
Heptachlor epoxide	1024-57-3	<17	U
Methoxychlor	72-43-5	<167	U
Chlordane (technical)	57-74-9	<167	U
Toxaphene	8001-35-2	7462	
Aroclor-1016	12674-11-2	<333	U
Aroclor-1221	11104-28-2	<667	U
Aroclor-1232	1114-16-5	<333	U
Aroclor-1242	53469-21-9	<333	U
Aroclor-1248	12672-29-6	<333	U
Aroclor-1254	11097-69-1	<333	U
Aroclor-1260	11096-82-5	<333	U
Aroclor-1262	37324-23-5	<333	U
Aroclor-1268	11100-14-4	<333	U

SURROGATE RECOVERY REPORT

Surrogate Compound	Added-ug/kg	Measured-ug/kg	%Rec	QC Limits
Tetrachloro-m-xylene	66.7	60.7	91	60--150
Decachlorobiphenyl	66.7	58.4	88	60--150

QUALIFIER CODE EXPLANATIONS AND NOTES:

Target identifications were confirmed by GC-ECD re-analysis on a dissimilar column.

Note: Results are reported on a wet weight basis. To convert a result to dry weight basis divide by 0.73.

U- Indicates compound was analyzed for but not detected.

REPORT COMMENTS: Sample extract was diluted 10 times at analysis due to non-target compound sample matrix interference. Practical Quantitation Limits were raised 10 times.

Analyst: GWReviewing Supervisor: MTJ

/chem/ABCD.i/A090799.b/a0907016.d

RECEIVED**OCT 04 1999**MT Dept. of Environmental Quality
Enforcement Division

**ENERGY LABORATORIES, INC.**

P.O. BOX 30916 • 1120 SOUTH 27TH STREET • BILLINGS, MT 59107-0916 • PHONE (406) 252-6325
FAX (406) 252-6069 • 1-800-735-4489 • E-MAIL eli@energylab.com

Client: Corwin Environmental Consultant
Date Sampled: 11-AUG-99 10:30
Date Received: 13-AUG-99
Extraction Date: 17-AUG-1999
Analysis Date: 25-AUG-1999 16:24
Project Info: KF & G, KALISPELL
Sample Info: 98-035-SS (SURFACE SOIL)

Lab No.: 001-99-55805
Report Date: 08/26/99 09:42
Sample Matrix: SOIL; Moisture=27%
Extraction Method: EPA 8151
Prep Info: 0.02kg->4.0mL

EPA METHOD 8151: CHLORINATED ACIDS ANALYSIS REPORT

CONCENTRATION UNITS = ug/kg (ppb)

<u>COMPOUNDS</u>	<u>CAS NO.</u>	<u>RESULT</u>	<u>QUALIFIER</u>
Aciflourfen	50594-66-6	<10	U
Bentazon	25057-89-0	<50	U
Chloramben	133-90-4	<10	U
2,4-D	94-75-7	55	
2,4-DB	94-82-6	<50	U
Dacthal	2136-79-0	<20	U
Dalapon	75-99-0	<200	U
Dicamba	1918-00-9	5.3	
3,5-Dichlorobenzoic acid	51-36-5	<10	U
Dichlorprop	120-36-5	<20	U
Dinoseb	88-85-7	<20	U
MCPA	94-74-6	<4000	U
MCPP	93-65-2	<4000	U
4-Nitrophenol	100-02-1	<10	U
Pentachlorophenol	87-86-5	<2.0	U
Picloram	1918-02-1	<10	U
2,4,5-T	93-76-5	<4.0	U
2,4,5-TP (Silvex)	93-72-1	<4.0	U

SURROGATE RECOVERY REPORT

<u>Surrogate Compound</u>	<u>Added-ug/kg</u>	<u>Measured-ug/kg</u>	<u>%Rec</u>	<u>QC Limits</u>
Dichlorophenyl acetic acid	200	178	89	30--130

QUALIFIER CODE EXPLANATIONS AND NOTES:

Note: Results are reported on a wet weight basis. To convert a result to dry weight basis divide by 0.73.

U- Indicates compound was analyzed for but not detected.

REPORT COMMENTS: None

Analyst: VKH Reviewing Supervisor: MM /chem/DECD.1/D081699.b/d0816094.d

RECEIVED

OCT 04 1999

MT Dept. of Environmental Quality
Enforcement Division



MARC RACICOT
GOVERNOR

MONTANA DEPARTMENT OF AGRICULTURE

AGRICULTURAL SCIENCES DIVISION
303 N ROBERTS, PO BOX 200201
HELENA, MT 59620-0201

W. RALPH PECK
DIRECTOR
(406) 444-3144
FAX (406) 444-5409
TDD (406) 444-4687
E-MAIL: agr@state.mt.us

GARY GINGERY
ADMINISTRATOR
(406) 444-2944
(406) 444-7336

June 6, 2000

BILL CORWIN
CORWIN ENVIRONMENTAL CONSULT.
BOX 8961
KALISPELL MT 59904

Dear Mr. CORWIN:

You have registered with the Department to participate in the Waste Pesticide Disposal Program. You are scheduled to come to the collection site on Monday, June 19, 2000 between 1:30 PM TO 2:00 PM. The site is located at the National Guard Armory (2nd Squadron/1634C) just south of Kalispell on the west side of Highway 93. This is a large white building with an armored military vehicle displayed in front of it.

Bring with you your Certificate of Participation (enclosed) which lists the pesticides authorized for disposal. Your disposal fee is estimated on this form. The actual fee will be assessed at the collection site based on the total weight of the pesticides including their containers. If you are due a license fee credit it will be subtracted from the disposal fee at the collection site. Checks only can be accepted.

A wide variety of pesticides, in large and small amounts, are being collected at the Kalispell collection. The collection crew will get you through as quickly as possible but, because of the highly hazardous nature of many of these materials and the poor integrity of some containers, delays can occur. Please be patient if there are.

If you are unable to come to the collection, contact me. You do not have to deliver the pesticides in person. An alternate person can make the delivery. I have scheduled participants to specific time blocks to avoid congestion and long waits. Don't feel you won't get in if you are late, we'll fit you in, but please do your best to arrive when scheduled. If you know you in advance you can not make your time block, contact me.

Please make sure that all containers are labeled and safely secured. If you have a leaking or torn container, make sure it is overpacked so that a release will not occur. Please follow the recommendations on the enclosed "SAFE TRANSPORT TIPS".

Please contact me with any questions, if there are significant errors in the list of materials for disposal or if you have additional pesticides for disposal, at 444-3731.

Sincerely,

Daniel Sullivan
Programs Coordinator

Enc.

MONTANA DEPARTMENT OF AGRICULTURE PESTICIDE COLLECTION

***** CERTIFICATE OF PARTICIPATION *****

MONTANA DEPARTMENT OF AGRICULTURE
PESTICIDE DISPOSAL PROGRAM
BOX 200201
HELENA, MT 59620-0201
TELEPHONE: 406-444-5400

AUTHORIZED PARTICIPANT BILL CORWIN
CORWIN ENVIRONMENTAL CONSULT.
BOX 8961
KALISPELL MT 59904

IDNO = 6

LIST OF PESTICIDES AUTHORIZED FOR DISPOSAL

PRODUCT MANUFACTURER	TYPE	SIZE	GALLONS	LBS
DINITROAMINE DOW	MET	2 X 30 GAL DRUM	30.000	0.000
PENTACHLOROPHENOL	MET	2 X 30 GAL DRUM	60.000	0.000
AMMATE X-N1 WEED & BRUSH KILLER DUPONT	PAP	7 X 60 LB BAG	0.000	420.000

TOTAL GALLONS = 90.000 GAL
TOTAL POUNDS = 420.000 LBS
ESTIMATED TOTAL WEIGHT OF COLLECTION = 1320.000 LBS
ESTIMATED DISPOSAL FEE = \$760.00

***** NOTE *****

The ACTUAL FEE will be based on the total weight of materials INCLUDING THE WEIGHT OF THE CONTAINERS. A gallon of liquid is estimated to weigh 10 pounds. The fee will be COLLECTED AT THE DISPOSAL SITE. Checks must be made payable to the MONTANA DEPARTMENT OF AGRICULTURE. We CANNOT accept cash.

Licensed pesticide applicators will receive a fee credit equal to that portion of their license fee dedicated to funding the pesticide disposal program. Please bring your license card with you to the collection site.

Fee Credit

Private Applicator = \$15.00
Commercial Applicator = \$30.00
Government Applicator = \$25.00

***** IMPORTANT *****

THIS DOCUMENT MUST BE IN YOUR POSSESSION DURING TRANSPORT AND DELIVERY



Montana Department of

ENVIRONMENTAL QUALITY

ENFORCEMENT DIVISION
ACTIVITY REPORT

Field:
Telephone:
Office:

☒
☐
☐

Copy to:

RC#:

County: Flathead

Complaint Name: Kalispell Feed & Grain

FID#:

Enforce ID#: 1101 **CVID#:** 1196

Report by: David Rise

Date: 08/17/01

Time: 1106

Contacted/Contacted by:

Phone:

Fax:

Address:

Subject: Updated photo of KFGS site.

Summary of Activity: While in the Kalispell area I went by the KFGS site to see what it looked like. I saw four USTs set out in the field and noted that all the drums that had been scattered around the field were in one pile, near the center of the field. There is a white trailer parked near the USTs (see photo) that is probably the trailer where Bill Corwin (RP's consultant) has stored the pesticide Ammate. The site generally looks good. One photo taken to show location of white trailer and USTs.

Recommended Action: Close complaint, refer pesticide issue to MDA.

APPENDIX E
SITE PHOTOGRAPHS

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 1 Looking NE at Building 2 Warehouse – H&H Express



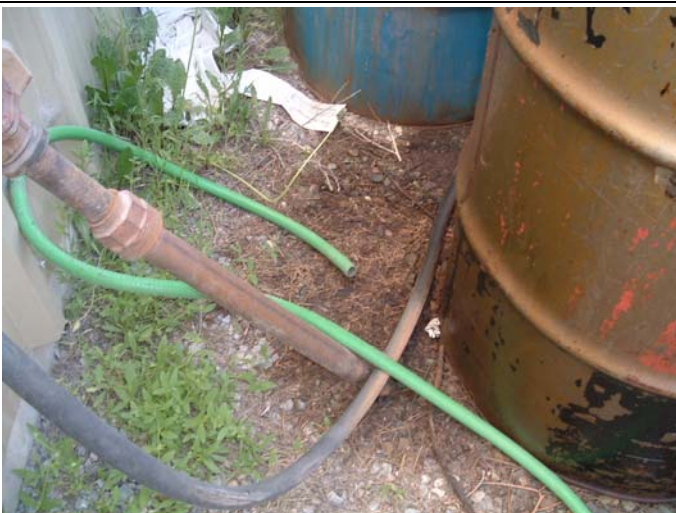
PHOTOGRAPH 2 Looking NW at Building 3 – Above & Beyond Paint former service station



PHOTOGRAPH 3 Interior of Building 3.



PHOTOGRAPH 4 Drums on east exterior of Building 3.



PHOTOGRAPH 5 Stained soil around drums on east side of Building 3.



PHOTOGRAPH 6 Mound of sand blasting waste located north of Building 3.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 7 Structure north of Building 3 used for sand blasting.



PHOTOGRAPH 8 Looking NW at area between Building 3 and Building 7.



PHOTOGRAPH 9 Paint storage in Jim Palmer Signs – Building 2 (former scale house)



PHOTOGRAPH 10 View north at storage area north of Jim Palmer Signs.



PHOTOGRAPH 11 View SE at base of former grain bins and Building 1 (former storefront).



PHOTOGRAPH 12 Looking south at railroad spur to grain bins along east side of site.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 13 Domestic well for entire site located north of Jim Palmer Signs.



PHOTOGRAPH 14 View NW along former railroad line that forms northeast boundary of site.



PHOTOGRAPH 15 Looking west at anhydrous ammonia tanks, and fertilizer plant.



PHOTOGRAPH 16 From railroad grade looking south at anhydrous tanks and grain elevator.



PHOTOGRAPH 17 View W across north portion of site. Orvis irrigation building & storage area.



PHOTOGRAPH 18 One of five former grain bin bases located along east portion of site.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 19 View of decomposing grain in base of former grain bin.



PHOTOGRAPH 20 Inside grain elevator building.



PHOTOGRAPH 21 Waste oil storage inside Building 4.



PHOTOGRAPH 22 Tire storage on north side of Building 4.



PHOTOGRAPH 23 Automotive batteries on ground on north side of Building 4.



PHOTOGRAPH 24 Petroleum storage tank that was buried south of Building 3 (Wrangler Oil)

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 25 View south at Building 4.



PHOTOGRAPH 26 View northwest at Building 7 – Stable Lift.



PHOTOGRAPH 27 Looking north at Building 6 - Orvis Irrigation and Fertilizer Plant to right.



PHOTOGRAPH 28 Floor drain inside Building 6 – discharges to buried drum north of bldg.



PHOTOGRAPH 29 Buried drum N of Bldg 6 which receives discharge from interior floor drain.



PHOTOGRAPH 30 View inside of buried drum north of Building 6.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 31 Corroded tank at fertilizer plant.



PHOTOGRAPH 32 Looking SW at fertilizer plant tanks.



PHOTOGRAPH 33 View south. Reactor building at fertilizer plant on right. Grain elevators on left.



PHOTOGRAPH 34 Looking west at piping associated with fertilizer plant.



PHOTOGRAPH 35 View NW at sand blasting waste associated with Powder Coating business in Building 5.

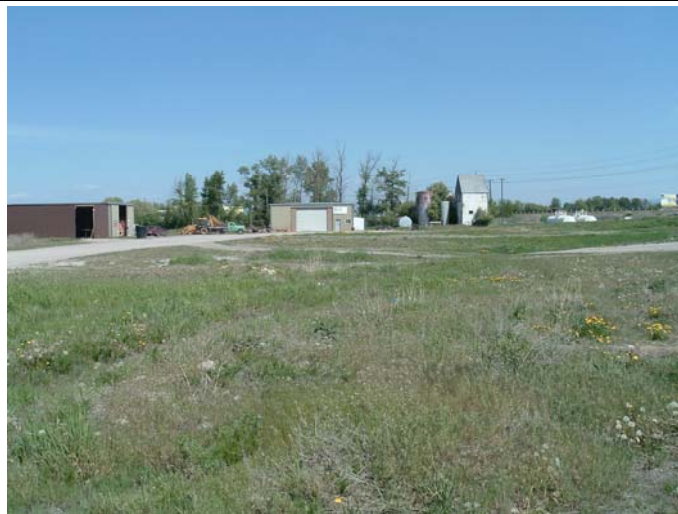


PHOTOGRAPH 36 Looking west at sand blasting operation at Powder Coating business in Building 5.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 37 Looking SE at Building 5 (right) and kiln building (left) associated with Powder Coating business.



PHOTOGRAPH 38 Looking N across central portion of site; Buildings 7, 6 and fertilizer plant (left to right).



PHOTOGRAPH 39 Waste oil drums on west side Building 5 – Powder Coating of Kalispell.



PHOTOGRAPH 40 Diesel AST and waste oil drum on west side of Building 5 – Powder Coating.



PHOTOGRAPH 41 Gas can and open container of waste oil (note spillage) on west side of Building 5 – Powder Coating.



PHOTOGRAPH 42 Interior of Building 5 – Powder Coatings.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 43 Material storage inside Stable-Lift business in Building 7.



PHOTOGRAPH 44 Lube oil drum and boxes of herbicide (freight) inside Bldg 1 warehouse - Bob's Pickup & Delivery.



PHOTOGRAPH 45 Interior of vacant store front in Building 1.



PHOTOGRAPH 46 Pole-mounted transformers along south property boundary.



PHOTOGRAPH 47 Looking north across Ashley Creek at property adjoining site.



PHOTOGRAPH 48 Waste concrete disposed near Ashley Creek along north boundary of site.

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 49 View of Ashley Creek looking NW at property adjoining site.



PHOTOGRAPH 50 Looking east from SW corner of site at property adjoining site on south (Western States).



PHOTOGRAPH 51 View NW at empty drums near Ashley Creek on north portion of site.



PHOTOGRAPH 52 View west at empty drums near Ashley Creek on north portion of site.



PHOTOGRAPH 53 Pole-mounted transformers along south boundary of site.



PHOTOGRAPH 54 Looking east across central portion of site.

**3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA**
Tetra Tech Project 7577561547.100



PHOTOGRAPH 55 View NW at Building 5, Powder Coatings of Kalispell



PHOTOGRAPH 56 View ENE at Building 3 (former gas station). Area to right of building is former UST basin.



PHOTOGRAPH 57 Looking west at Building 4 – Hector Perez tenant.



PHOTOGRAPH 58 Looking NW across central portion of site. Former, Building 7, then Building 6 (left to right)



PHOTOGRAPH 59 Adjoining site on east across Hwy 93 – Pierce Manufacturing



PHOTOGRAPH 60 Adjoining site on east across Hwy 93 – Montana Industrial Stickers

3450 U.S. HIGHWAY 93 SOUTH
KALISPELL, MONTANA
Tetra Tech Project 7577561547.100



PHOTOGRAPH 61 Looking west across U.S. Highway 93 at east portion of site.



PHOTOGRAPH 62 Looking west at Building 1 (left) and grain elevator..



PHOTOGRAPH 63 Looking at properties adjoining site on south.



PHOTOGRAPH 64 Pole-mounted transformers along east boundary of site and grain elevators.

APPENDIX F

RECORDS OF COMMUNICATION

~~MAXIM TECHNOLOGIES INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157561547 Date 5/18/07
By Daphne Digrindahn Time _____ ☐am ☐pm
From: Ray Sanders Phone No. In person
To _____

Record of Conversation long time resident of the area who is very familiar w/ the site. Page 1 of 12

Bldg 2 - Warehouse - part of old dock for grain & feed business - stored oats, horse feed
There were mill ponds along Ashley Creek associated with the lumber mill operation. Ray filled the ponds in the mid-1970s w/ material from the site.
There was a feepee burner @ the Lumber mill. All improvement were removed from site except the foundation of the "Skagit pole" or gin pole used to drag the logs in. There was no wood treating conducted on the site.

Lee Tower built Kalispell Feed & Grain. He didn't think there had been seed treatment on the premises but suggested we talk to Cliff Swallow who leased the grain business for many years. Grain was mostly delivered by truck and chemicals sold in 5-gallon quantities. Some herbicide spraying (mox & load) took place on site. Both liquid & dry fertilizers were dispensed from site. Liquid stored in tanks - Dry stored in house.

Gas Station - Cardloc System & bulk plant. people

Employee Signature DD

MAXIM TECHNOLOGIES, INC.
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain
Project No. _____ Date 5/18/07
To: Ray Sanders Time _____ ☐am ☐pm
From: _____ Phone No. In person

Record of Conversation

Page 2 of 2

would buy 55 gallon drums of lubricants. No oil changes or maintenance was performed on site. No buried drums on site to his knowledge.
Building 3 - (Gas station) interior of shop was used for storage of 55 gallon drums of lake oil etc. Area north of Bldg 3 was used for mixing & loading of herbicides.
Building 4 (Hector Perez) - not aware of problems here. Large tanks btwn B4 & B7 - not from site. Hauled to the site by Valcon.
Building 6 (Orvis Migration) - Worst area of site from environmental standpoint. The area north of shop was storage yard for 1000 to 5000 containers of herbicide - most were empty but he didn't think they had all been triple rinsed. Area was fenced and spray cans were stacked to top of fence.
Building 7 - not aware of problems.
Fertilizer Plant - there was secondary containment around tanks.

Employee Signature DD

TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalspell Feed & Grain
 Project No. 115 7561547 Date 5/25/07
 To: Cliff Swallow Time _____ ☐ am ☐ pm
 From: Daphne Dignidakis Phone No. 406-755-0747

Record of Conversation

KF&M did custom spraying - 1 year
Swallow did for
my wife
by 60 ft
lands

leased in 1985 - 2000 anhydrous ammonia & liquid fertilizer
shipped & sold grain truck and rail service -

Railroad came out in 2003

Store & offices in Bldg-1 - bags of feed. elevator & feed mill - two towers.

5 grain bins

Scale & dryer taken out.

Cyclone - cooling system after rolling grain

No seed plant - No treatment - either Swallow no chemicals in bulk. OK KF&M

Did delivery as KF&M - complete line

KF&M ran good business - clear

left empty containers behind OR Vis

Lee Towler w/ mangler oil - sold KF&M to Swallow

Gustins bought in town elevators & rebuilt on site.

Rumors that there were law. problem - he doesn't know what it is
early 1990's high water. lower bottom covered w/ water.

Employee Signature

DD

fertilizer plant area & lower shop. under water

~~MARTIN TECHNOLOGIES INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain
Project No. 1157561547 Date 5/25/05
To: Wynne Zelmer Time 3:30 ☐ am ☒ pm
From: Daphne Dignardaki Phone No. 752-1206 home
758-5910 work

Record of Conversation

Page 1 of 2

Caretaker for Martin Family for 7 years.
purchased when it was bankruptcy around 2000
Swallow Grain had moved out of

except for 3 bldg - Powder Coating &
Orvis Migration (4) and adjoining business
when County got it - 9 spaces leased.

Container's & Orvis were motor oil
trained in hazardous waste identification - works
at County Landfill

Nothing at site that he was concerned about
Trunks @ #3 - doesn't know what it's in them
oil waste looked at and said he could
take it.

Doesn't know about flood.

Doesn't know about spray container storage
Rumor about environmental problems at site
but he doesn't know what they're talking
about.

Sand waste from sand blasting isn't hazardous
waste because it's diluted.

Employee Signature

DD

~~WATKINS TECHNOLOGIES, INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalspell Feed & Grain
Project No. 1157561547 Date 5/25/05
To: Wynne Felmer Time 3:30 ☐am ☐pm
From: Daphne Drenndahl Phone No. 758-5910

Record of Conversation

Page 2 of 2

Fertilizer Plant - upright tanks used for water
long machinery south of site - took over
after Solberg

Septics - thinks there are 4 or ~~5~~ = 6

bdg 4 has one to north

bdg 5 has one to north

bdg 6 has one to north

bdg 8 has one to west

bdg 3 has one to north

bdg 1 has one to north

Did alot of cleanup when they took over site

Employee Signature

Dd

~~INTECHNOLOGIES, INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157541547 Date 5/18/07
To: Mark @ Bob's Pickup & Delivery Time in person ☐ am ☐ pm
From: Daphne Dugundah Phone No. _____
By Lockwood

Record of Conversation Occupant of Bldg 1 Warehouse Page 1 of 1

Bob's PU & Delivery has occupied warehouse in B-1 for 1 year. they deal w/ all types of freight including hazardous materials. Roundup observed in freight bay is shipment and not product for use at the site. Drum of motor oil observed is for their fleet.

Employee Signature Rd

~~WIRETAP TECHNOLOGIES, INC.~~
FEDERATION CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157561547 Date 5/18/07
To: Cary @ H&H Express Time _____ ☐am ☐pm
From: Daphne Digenidakis Phone No. 1K person

Record of Conversation

Page 1 of 1

Occupies Bldg 2 Warehouse on the site.
They have freight which sometimes included
batteries, propane, auto parts - but
nothing in large quantities

Space at site is also shared by Alseo - a
clothing/laundry service

H&H has occupied this space for ~ 1 1/2 years

Previous tenant was in the same line of
business

Employee Signature

Da

TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157561547 Date 5/17/07
By Daphne Dignindahi Time _____ ☐am ☐pm
To: Jeff Palmer - Above & Beyond Paint Phone No. 406-885-6100
From: Jeff Palmer - Above & Beyond Paint 406-885-6100
To: _____

5/25
phone

Record of Conversation occupant of Bldg 3.

Page 1 of 1

Before Above & Beyond Paint - Western Products
occupied Building #3. They did soda blasting
Jeff has had lease since July 2006.

He uses oil-based stains & paints. Waste goes
to landfill. Utilities include shared well
and septic system environmental

He is not aware of any problems at site or shop
he leases.

Drums on east side of shop what are these?
left behind - were there when he
took over. He thinks they contain
diesel fuel based on smell. - Does not
know

Employee Signature

DD

~~CONFIDENTIAL~~ **CONVERSATION RECORD**
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157561547 Date 05/18/07
To: Mrs. Hector Perez Time _____ ☐am ☐pm
From: Daphne Dignard Phone No. in person
By B4

Record of Conversation

Occupant of Bldg 4

Page 1 of 1

Mr. Perez has occupied the building for about 2 years. He buys and sells auto parts which he stores on the site. He conducts a small amount of maintenance and does generate waste oil which is recycled. - He gives it to an individual who burns it for heat recovery.

The shower in the only drain in the leased space. Was not aware of who occupied this space prior to them. Space was empty w/ no waste left behind by previous tenant.

Employee Signature

Del

~~CONFIDENTIAL~~
~~TELEPHONE~~ CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain Supply
Project No. 1157561547 Date 5/18/07
To: Mont Peters - Time _____ ☐am ☐pm
From: Daphne Dignia dahi Phone No. In person
By: DD

Record of Conversation Occupant of B-5 & B-7

Page 1 of 2

Has had B-5 for 9 years and B-7 for 6 years
Address of B-5 business is 3454 Hwy 93 So.

and it's called Powder Coating of Kalispell
Space was occupied by a tile company before him.
There were barrels left behind by a former
tenant when he took over but they were removed
at his request. There was a bad flood about 15
years ago that caused water to flood the building
Trunks (both full and empty) were floating around and
some had to be recovered from Ashley Creek. EPA
has inspected his business several times and has
cemented closed the floor drains that discharge to
septic system.

He said he was aware of a fertilizer spill between
B-5 and the tank south of B-7. A semi truck w/

auger leaked fertilizer onto the ground
He said the tank south of B-7 was one removed
from site so of B-3. There had been two tanks
sitting there but one was recently removed.

Employee Signature DD

~~INDUSTRIAL TECHNOLOGIES, INC.~~
~~TELEPHONE~~ CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalspell Fed & Grain
Project No. _____ Date 5/18/07
To: Mont Peters Time _____ ☐am ☐pm
From: Daphne Dignio-Edin Phone No. In person
By By

Record of Conversation

Page 2 of 2

The white pile north of B-5 is sand blasting waste which is essentially sand. It hauled 15 semi loads to Kalspell Cardell last year and it was tested and determined not to be hazardous waste. The powder coating process involves polyester coating that is baked onto metal in Nat. gas kiln north of B-5.

B-7. Mr. Peters also leases B-7 and runs Stable-lift which is basically a welding shop. They manufacture campers for pickup trucks. No chemical were left behind when he took up occupancy of B-7 and he doesn't know who leased it before him. There are no drains or septic serving this building.

Employee Signature Ad

TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain
Project No. 1157561547 Date 5/18/07
To: Mr. Orvis - Orvis Irrigation Time ☐am ☐pm
From: Daphne Diglundah Phone No. 1h person
By

Record of Conversation

Occupant of Bldg 6

Page 1 of 1

Mr. Orvis has occupied B-6 for about 2 years.
Prior to this he leased B-4. He was not aware
of who was in B-6 or B-4 before him.
There were unknown liquids left behind
in B-6 when he took over that he insisted the
management take care of. There is a floor drain in
the shop that discharges to buried drain on
north side of shop. He doesn't use this system.
Mr. Orvis isn't aware of any environmental
problems @ B-6 or with other parts of the
site.

Address of his business is 3441 Hwy 93 So.

Employee Signature Dd

~~TELEPHONE~~ CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell Feed & Grain
Project No. 1157561547 Date 5/18/07
To: Jim Palmer Time _____ ☐ am ☐ pm
From: Daphne Dignardokin Phone No. in person
by Building #8 occupant

Record of Conversation

Page 1 of 1

Mr. Palmer has leased Building #8 at the site for 2 1/2 years. The space used to be the scale house for the grain terminal. The scale equipment was removed and filled with sand then covered w/ concrete. A service entrance to the grain chute is located in the floor of his shop covered w/ a metal plate. The chute was where grain dropped - there was an auger in the bottom and grain was hoisted to leg turret then dispersed to grain bins.

Mr. Palmer was not aware of who occupied his leased space prior to him. It was empty when he moved in.

He uses paints, stains, lacquerthinners and does not generate waste that requires special disposal.

He's not aware of environmental problems at site or w/ his leased space.

Employee Signature DD

~~MAXIM TECHNOLOGIES, INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell feed & grain
Project No. 1157561547 Date 5/25/07
To: Gregg Martlett - Dept Ag. Time 9:30 ☒ am ☐ pm
From: Daphne Digmindahn Phone No. 406-444-3144

Record of Conversation

Page of

Gregg has worked @ Dept Ag for 26 years and was knowledgeable about the site.

He said seed was definitely treated there and the product Vita-Vax may have been used.

He said that Kalispell Feed & Grain was a dealership and sold insecticides / herbicides as well as had a commercial spraying business. SO mixing and loading likely occurred on site.

He remembers the fertilizer plant and that mounds of product were on the ground and augered into customer's trucks.

He remembers a complaint that Dept Ag investigated w/ DDE regarding chemical barrels on the site and concern that they could corrode & get into Ashley Creek. He was going to look for old paper work but he thought if there had been a problem it would have been cleaned up.

He said it was a typical elevator and was not aware of any other red flags.

Employee Signature DD

~~INTERNAL USE ONLY, NOT~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: ~~Camden~~ Kalispell feed & Dairy
Project No. _____ Date 5/30/07
To: Cora Helm Time 9:00 ☒ am ☐ pm
From: Daphne Dargatzidis Phone No. 444-7659

Record of Conversation

Page 1 of 1

Once no longer considering property for
Bypass - out of loop

MST was considering purchase of site
split lot of Phase 1

Project file available for review. Not likely to
include information beyond what's available
at MST

Employee Signature

DD

~~MAXIM TECHNOLOGIES, INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalspell Feed & Grain
Project No. _____ Date 5/30/07
To: Bill Corwin Time 3:30 ☐ am ☒ pm
From: Daphne Bigindachi Phone No. 844-3312
250-0597 cell

Record of Conversation

Page 1 of 1

Was soil removal done as part of cleanup? NO

Was soil tested other than pesticide area - NO
mainly dealt w/ pesticide disposal

Is there still contamination at site - Yes

North of shed (B-6) pesticide storage area.

Leaking drum of pesticide - NW of shop.
1/2 way to Creek.

was chicken coop bldg. - gone now
Auto salvage area around B-7
repair shop. - waste oil - no cleanup

Employee Signature

Dd.

~~ADMINISTRATIVE SERVICES, INC.~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kaluspiel Fed & Drain
Project No. _____ Date 5/29/07
To: George Smith - Flathead Co. Time _____ ☐am ☐pm
From: Daphne Biggin-Dahm Phone No. 757-8200
Planning & Zoning

Record of Conversation

Page of

County Zoning

6BA

Suburban Agricultural
5 acre minimum (SAG-5)

5CCA

Heavy Industrial (I-IH)

Floodplain

6BA

all within 100-year flood
plain

5CCA

part in 100-year FP

1997 was a big flood year

Employee Signature

Dd

~~MAXIM TECHNOLOGICAL~~
TELEPHONE CONVERSATION RECORD
Helena, Montana Office

Project Name: Kalispell feed & Grain
Project No. _____ Date 5/31/07
To: EPA - Tilman McAdams Time 1:20ish ☐am ☐pm
From: Daphne Brigue Phone No. 457-5015

Record of Conversation Underground Injection Control Program Page of

looked up the following for floor drain inspections

- 3450 Hwy 93 So. Kalispell feed & Grain
- 3454 Hwy 93 So. Powder Coating of Kalispell

Nothing in EPA files on either property
(files go back to 1996)

thought that inspection record referred to
may have been conducted by MDEQ
instead of EPA.

Employee Signature DB

APPENDIX G

REFERENCES

REFERENCES

- Alt, D.D., 1984.** Profiles of Montana Geology. Montana Bureau of Mines and Geology, Special Publication 89, 158 p.
- Kendy, Eloise and Ruthe E. Tresch. 1996.** Geographic, Geologic, and Hydrologic Summaries of Intermontaine Basins of the Northern Rocky Mountains, Montana. U.S. Geological Survey Water Resources Investigations Report 96-4025.
- Konizeski, R.L., A. Brietkrietz and R.G. McMurtrey, 1968.** Geology and Ground Water Resources of the Kalispell Valley, Northwestern Montana. Montana Bureau of Mines and Geology, Bulletin 68, 42 p.
- Land and Water Consulting, 2002.** Phase 3 Remedial Action Report, Long Machinery Property, Kalispell. August, 2002.
- Nobel, R.A. and J.S. Stanford, 1986.** Groundwater Resources and Water Quality of the Unconfined Aquifers in the Kalispell Valley, Montana; Montana Bureau of Mines and Geology Open-File Report 177, 112 p.
- Olympus Environmental, Inc. 1997.** Phase I Environmental Site Assessment, Kalispell Feed and Grain , 3450 Highway 93 South, Kalispell, Montana. Prepared for Norwest Bank. April 21, 1997.
- USDA, SCS. 1960.** Soil Survey of the Upper Flathead Valley Area Montana. U.S. Department of Agriculture, Soil Conservation Service in cooperation with Montana Agricultural Experiment Station.

SOURCES CONTACTED

Flathead County Clerk and Records Office
Flathead County Classification and Appraisal Office
Montana Cadastral Property Mapping Program
Montana Bureau of Mines and Geology, Groundwater Information Center
Montana Department of Agriculture, Pesticide Program
Montana Department of Environmental Quality, Enforcement Division
Montana Department of Environmental Quality, Hazardous Waste Section
Montana Department of Environmental Quality, Remediation Division
Montana Department of Transportation
Montana Historical Society Library
U.S. Environmental Protection Agency Enviro-facts
U.S. Environmental Protection Agency Right-to-Know Network

APPENDIX H

QUALIFICATIONS

DAPHNE DIGRINDAKIS

Senior Environmental Scientist

EDUCATION

BA, Geology (Environmental Geology), University of Montana, 1979

EXPERIENCE SUMMARY

Ms. Digrindakis has over 20 years of professional experience in environmental consulting and is Tetra Tech's regional program manager for Brownfields and Phase I Environmental Site Assessments. Her areas of expertise include preparing documents to comply with the National Environmental Policy Act (NEPA) including Environmental Impact Statements (EISs); Environmental Assessments (EAs); Resource Management Plans (RMPs); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) site investigations; hazard mitigation planning; and Phase I and II Environmental Site Assessments (ESAs). She has served as public outreach coordinator on numerous projects, facilitating public involvement and conducting public meetings. Ms. Digrindakis routinely develops and implements field sampling plans to investigate potential impacts at sites, interprets chemical laboratory data and prepares cost estimates for environmental cleanups. She has managed numerous projects and is proficient in Microsoft Project scheduling software and in preparing complex labor plans to manage resources.

PROJECT EXPERIENCE

Environmental Site Assessments and Brownfields

- **Phase I Environmental Site Assessments - Montana, Idaho, Washington, Oregon, Utah, Arizona, New Mexico.** Environmental Scientist responsible for performing Phase I ESAs for real estate buyers/sellers and financial institutions to evaluate environmental liability associated with past use. Investigations include courthouse research, aerial photograph interpretation, historic map review, site reconnaissance and regulatory database review. Prepared reports to comply with ASTM Standard E-1527 and developed recommendations for further investigation.
- **Lewis and Clark County Brownfields Project, Montana.** Prepared grant application which won Lewis and Clark County a \$200,000 EPA grant for brownfields assessment. Selected as environmental contractor for the county brownfields project which will involve community outreach, six Phase I ESAs, two Phase II investigations, and cleanup planning.
- **Montana Department of Transportation Phase I Right-of-Way Evaluations, Montana.** Environmental Scientist responsible for identifying areas of potential soil and groundwater contamination that would impact highway reconstruction projects. Projects include:
 - U.S. Highway 93 (Hamilton to Lolo, Evaro to Polson, Somers to Whitefish)
 - Great Falls (Central Avenue West, 10th Avenue South, Northeast Bypass, 14th &-15th St. from 1st Ave. North to River, and 6th Street Northwest)
 - Kalispell (Meridian Road)
 - Polson (Polson Bypass)
 - Helena (North Montana and Railroad, Benton and Lyndale, and N. Main Street and Railroad Spur)
- **Phase II Hazardous Material Assessments, Montana.** Environmental Scientist responsible for performing Phase II assessments to identify source and extent of soil and groundwater contamination. Utilize soil vapor detection instruments (e.g., HNU and Microtip photoionizers) in conjunction with backhoe test pits, GeoProbe direct-push and hollowstem auger drill rigs to collect soil and groundwater samples for chemical analysis. Responsible for developing environmental testing plans, site safety plans, waste characterization, data interpretation and remedial action recommendations and costs. Prepared Phase II project reports.

CERCLA/RCRA Environmental Site Investigations

- **USDA-Forest Service Region I Abandoned Mine Reclamation Projects, Montana.** Environmental Scientist with project assignments to follow the U.S. Environmental Protection Agency non-time-critical removal process for site cleanup and reclamation. Responsible for baseline investigations in drainage basins impacted by tailings deposits and mine drainage. Tasks included characterization of groundwater

and surface water quality, identification of metals sources and evaluation of groundwater/surface water interactions. Prepared potentially responsible party reports.

NEPA Process and Documentation (EISs and EAs)

- **Rocky Mountain Front Oil and Gas Exploration (Blackleaf Project) EIS, Montana.** Assistant Project Manager responsible for coordinating scoping activities on a very controversial project to increase oil and gas development of the Rocky Mountain Front in Montana. Participated in internal meetings between the BLM, cooperating agencies and contractor personnel. Worked with the BLM to refine the proposed action, public meeting format and methodology used to respond to public comments. Participated in community outreach and public meetings. Reviewed environmental data, prepared responses to public comments, managed schedule and labor resources, and maintained records.
- **Elk Game Farms Impact Assessment EAs, Montana.** Project Manager for Maxim's game farm contract with Montana Fish, Wildlife and Parks. Prepared and compiled EAs to ensure compliance with Montana Environmental Policy Act.
- **Noxious Weed Program Programmatic EIS (PEIS), Montana.** Project Manager for the Montana Department of Agriculture's PEIS for Noxious Weed Trust Fund Program. Coordinated with numerous local and county agricultural agencies, surveyed program participants and researched weed control techniques in different environmental settings.

Land Use and Resource Management Planning

- **BLM RMP and EIS, Butte, Montana.** Project Manager responsible for coordinating all resource analyses for federal land use planning process for approximately 311,000 acres of public land surface and 656,000 acres of federal mineral estate in eight counties in mid-western Montana. The RMP addresses management concerns and provides a comprehensive framework for managing and allocating public land and resources within the Butte Field Office boundary. A supporting EIS will address a wide variety of issues and analyze a reasonable range of alternatives for resource management in the planning area.
- **Yuma RMP and EIS, Southwestern Arizona and Southeastern California.** Assistant Project Manager / Planning and Environmental Coordinator for all resource analyses for federal land use planning process for 1.6 million acres managed by the Bureau of Land Management (BLM) Yuma Field Office. Resources and issues identified for assessment will be included within an EIS. All management actions determined during the course of that process form the basis of the revised RMP, slated for release in 2007. Responsible for schedule management, record keeping and managing labor resources.

Hazard Mitigation Planning

- **Preparation of Pre-Disaster Mitigation Plans (PDM), Montana.** Hazard Mitigation Specialist responsible for coordination of public involvement and PDM Plan development for a number of counties and tribes in Montana. Identified critical facilities and vulnerable populations; profiled hazard events for risk assessment; established hazard mitigation goals and projects; developed strategy to implement mitigation measures; and developed procedure for plan maintenance to comply with Federal Emergency Management Agency (FEMA) requirements, and the Disaster Mitigation Act of 2000. Projects have included:
 - ❖ *Daniels, Roosevelt, Sheridan and Valley Counties and Fort Peck Reservation, Montana; 2003*
 - ❖ *Blaine, Hill and Phillips Counties, Montana; 2005*
 - ❖ *Golden Valley, Judith Basin, Musselshell and Wheatland Counties, Montana; 2006*
 - ❖ *Blackfeet, Fort Belknap and Rocky Boy Reservations, Montana; 2006*
- **Preparation of Disaster Resistant University (DRU) Pre-Disaster Mitigation Plans (PDM), Montana.** Hazard Mitigation Specialist responsible for coordination of public involvement and PDM Plan development for eight campuses of the Montana University System. Conducted survey of hazard events and mitigation strategies; facilitated public meetings; established hazard mitigation goals and projects; developed strategy to implement mitigation measures; and developed procedure for plan maintenance to comply with FEMA requirements, and the Disaster Mitigation Act of 2000.

Public Outreach

- **Disaster Resistant University Pre-disaster Mitigation Plan Public Meetings, Montana University System.** Facilitator for public meetings at the University of Montana (UM)-Missoula, UM-Helena College of Technology, UM-Western, Montana Tech of UM, Montana State University (MSU)-Bozeman, MSU-Northern, MSU-Billings and MSU-Great Falls College of Technology to support development of pre-disaster mitigation plans. Solicited information on historic hazards, campus vulnerabilities, and facilitated discussion on appropriate mitigation strategies. 2006
- **Pre-disaster Mitigation Plan Public Meetings, Central Montana.** Facilitator for public meetings in Ryegate, Lavina, Hobson, Stanford, Judith Gap, Harlowton, Roundup, Browning, Rocky Boy, Fort Belknap and Hays for four counties and three reservations to support development of pre-disaster mitigation plans. Solicited information on historic hazards and provided guidance to local officials and public to develop mitigation goals and projects. 2006
- **Pre-disaster Mitigation Plan Public Meetings, North Central Montana.** Facilitator for public meetings in Havre, Hingham, Chinook, Malta, Zortman, Dodson and Harlem to support development of pre-disaster mitigation plans for Hill, Blaine and Phillips Counties. Solicited information on historic hazards and provided guidance to local officials and public to develop mitigation goals and projects. 2005
- **Pre-disaster Mitigation Plan Public Meetings, Northeast Montana.** Facilitator for 10 public meetings in Valley, Roosevelt, Daniels and Sheridan Counties and with the Fort Peck Tribes to support development of pre-disaster mitigation plans. Solicited information on historic hazards and provided guidance to local officials and public to develop mitigation goals and projects. 2003
- **Brownfield Public Outreach.** Facilitated public meetings for Headwaters Resource, Conservation, and Development in seven Montana counties in their planning area for input on two Brownfield grant applications submitted to the U.S. Environmental Protection Agency. Presented project information, answered questions, and solicited input for revisions to grant proposals. 2005
- **BLM Travel Management Plans, Helena, Montana.** Facilitator for Lewis and Clark County-sponsored working group meetings organized to help the BLM Butte Field Office develop travel management plans for BLM routes in the Helena area. Two nine-member citizen advisory groups representing different segments of the public and area users met over a two-month period to review existing route network status. Facilitation resulted in consensus recommendations regarding the status and use of each route relative to open, closed, seasonal or administrative motorized use and other restrictions. 2005
- **BLM Blackleaf EIS Scoping Meetings: Montana.** Public Comment Coordinator responsible for recording verbal and written comments at public meetings in five Montana communities during scoping of controversial Blackleaf EIS. 2004

Abandoned Mine Reclamation

- **Abandoned Mine Reclamation Bureau's Non-coal Inventory, Montana.** Project Manager responsible for coordinating staff schedules, equipment procurement, quality control and budgets for this three-year, \$750,000 project. Developed a program to systematically investigate, verify and document environmental and safety hazards at abandoned non-coal mines throughout Montana. Developed a computerized database to track locations and environmental problems at over 3,000 hard rock mine sites in Montana.
- **Hazardous Mine Openings Abatement, Montana.** Project Coordinator for over 25 reclamation construction projects to abate hazardous mine openings at abandoned hard rock mine sites. Responsible for site selection and eligibility determination, grant application preparation, land ownership research, liaison with owners and government agencies for reclamation consent and clearances, database management, preparation of technical reports, construction bid document preparation and project management. Prepared bid documents for several reclamation construction projects.

Professional Instruction

- **Hazardous Waste in Real Estate Seminars, Montana.** Environmental Scientist invited by the Montana Bar Association to represent the environmental consulting industry in a panel discussion on Hazardous

Waste in Real Estate. Other participants included representative from Montana Department of Environmental Quality and private industry. Also presented seminars on the same topic to realtors, bankers and civic groups.

CONTINUING EDUCATION

FEMA Disaster Mitigation Act of 200 Plan Review Training, 2006
EPA Regional Brownfields Symposium, 2006
MT DES Pre-Disaster Mitigation Course, 2002
40-hr OSHA HAZWOPER, 1990
8-hr OSHA HAZWOPER Refresher, 2006
Phase II ESA Process, 1999
Environmental Sampling and Data Analysis, 1996
ESA Case Studies and Strategies, 1992

PROFESSIONAL EMPLOYMENT HISTORY

Environmental Scientist, Tetra Tech, Inc., 1987 to Present
Consultant, Montana Department of State Lands Abandoned Mine Reclamation Bureau, 1982 to 1986
Exploration Geologist, Mapco Minerals, Inc., 1981 to 1982
Geologist, U.S. Bureau of Mines and Geology, 1980 to 1981